

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4539 of 2020**

Chandramani Dev S/o Late P.D. Kurre Aged About 49 Years C/o Ram Kumar Thawait, Behind Daily Sabji Market, Bazarpara, Police Station Janjgir, District Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. Indira Gandhi Krishi Vishwavidyalaya Through Vice-Chancellor, Krishak Nagar, Raipur, District Raipur, Chhattisgarh
2. Registrar Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Reena Singh, Advocate
For Respondents	:	Mr. Shashank Thakur, Advocate

Hon'ble Shri Justice P. Sam Koshy
Order on Board

27/11/2020

1. The grievance of the petitioner in the present writ petition is the prolonged period under which the petitioner has been placed under suspension.
2. The petitioner in the instant case was working as Assistant Professor/Junior Scientist/Training Associate under respondents. The petitioner for some alleged conduct is said to have placed under suspension vide order dated 18.06.2018 w.e.f. 06.06.2018. The reason for placing the petitioner under suspension from the previous date was his getting implicated in an FIR for the offence punishable under Section 295 A of the IPC and for which he was arrested on 06.06.2018. Counsel for the petitioner submits that subsequently the petitioner has been released on bail by the Lower Court on 11.06.2018 itself. Further contention of the

petitioner is that it is now more than 2 ½ years that petitioner has been placed under suspension and for that there has been no further development on the disciplinary front has been initiated by the respondents. In as much as no charge-sheet, no show cause or any disciplinary proceedings has been initiated or contemplated by the respondents. Counsel for the petitioner at this juncture submits that petitioner's claim is required to be considered by the respondents keeping in view the judgment of the Supreme Court in the case of ***Ajay Kumar Choudhary v. Union of India through its Secretary and Anr. [2015 (7) SCC 291]***

3. Learned counsel for the respondent/ State entering appearance submits that petitioner seems to have already moved a representation before the authority on 10.10.2018 in addition, let petitioner make a fresh representation to the authorities concerned, the same shall be decided at the earliest.
4. Given the aforesaid facts and circumstances of the case, let petitioner make a fresh representation to the respondents in this regard and respondent authorities taking note of the observations made by the Supreme Court in the case of ***Ajay Kumar Choudhary (Supra)*** shall take a decision at the earliest preferably within a period of 45 days from the date of receipt of fresh representation by the petitioner.
5. With the aforesaid observation, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge