

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4974 of 2020**

Nandlal Yadav S/o Shree Gajadhar Yadav Aged About 46 Years Veterinary Assistant Surgeon (V.A.S.), Government Poultry Farm Sakalo Ambikapur , R/o Muktipara Fundurdihari Ambikapur , Police Station Gandhi Nagar, Ambikapur , District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Live Stock (Vetrinary) Development Department, Mahanadi Bhawan, Mantralaya Raipur Chhattisgarh
2. Director Vetrinary Services, Directorate Indrawati Bhavan, New Raipur Atal Nagar, District Raipur Chhattisgarh
3. Commissioner Surguja Division , Ambikapur , District Surguja Chhattisgarh
4. Collector Surguja Ambikapur District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Bhupendra Singh, Advocate
For State	:	Mr. Sudeep Verma, Dy. GA

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

17/12/2020

1. The challenge in the present writ petition is to the impugned order Annexure P-1 dated 04.11.2020 placing the petitioner under suspension and during the period of suspension he has been attached to the District Bilaspur.
2. Contention of the petitioner is that the order of suspension has been issued pursuant to certain allegations that have been made by the respondents in respect of the nature of duties of the petitioner. He further submits that department has conducted an enquiry and in the enquiry report submitted

vide Annexure P-13 dated 27.10.2020 where the major charges have not been found proved against the petitioner except for certain minor allegations which were said to have been found proved.

3. Today when the matter is taken up learned counsel for the petitioner submits that subsequently the department itself now vide order dated 27.11.2020 have issued an order exonerating the petitioner from enquiry proceedings.
4. Given the fact that petitioner now has been exonerated from the entire allegations and charges that were leveled against him, this Court is of the opinion that continuation of the impugned order Annexure P-1 needs to be reconsidered by the authorities at the earliest. Accordingly, the writ petition stands disposed of directing the respondent No.1 to consider the claim of the petitioner for revocation of the suspension order and permit him to resume his duties immediately in the light of he being exonerated from the disciplinary proceedings vide order dated 27.11.2020 let this action be taken by the respondent No.1 at the earliest preferably within a period of 30 days from the date of receipt of copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit