

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 7 of 2020

Vinay Sharma S/o Shri B.D. Sharma Aged About 50 Years Sanitary Supervisor, Zone - II , Vaishali Nagar, Municipal Corporation, Bhilai, District Durg Chhattisgarh.

--- **Petitioner**

Versus

1. State of Chhattisgarh through The Secretary, Ministry of Urban Development , Mantralaya , Mahanadi Bhawan, Atal Nagar , New Raipur , District Raipur Chhattisgarh.,
2. Commissioner Municipal Corporation Bhilai, District Durg Chhattisgarh.
3. Zone Commissioner Zone li , Vaishali Nagar, Municipal Corporation Bhilai , District Durg Chhattisgarh.
4. Zone Health Officer Presently Posted At Zone VI , Zone - li, Vaishali Nagar, Municipal Corporation Bhilai District Durg Chhattisgarh.
5. Shri Dharmendra Mishra S/o Late Amarnath Mishra Aged About 50 Years In Charge Health Officer, Municipal Corporation Bhilai , District Durg Chhattisgarh.

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28.01.2020	Mr. Uttam Pandey, counsel for the petitioner. Mr. Neeraj Pradhan, Panel Lawyer, for the State. Mr. H.B. Agrawal, Senior Advocate, with Ms. Iturani Mukherjee, counsel for respondent No.2. Heard. This writ petition is against the order of suspension dated 10.12.2019. Mr. H.B. Agrawal, learned senior counsel would submit that the said order of suspension is appealable under Rule 23 (iii) of the M.P. Civil Services (Classification, Control and Appeal) Rules, 1966. Sub-Rule (iii) of Rule 23 is relevant here and quoted below: 23. Orders against which appeal lies,- <i>Subject to the provisions of Rule 22, a Government Servant may prefer an appeal against all or any of the following orders, namely :-</i> (i) (ii) (iii) <i>an order of suspension made or deemed to have been made under Rule 9.</i>	

R a o	Since the order of suspension is appealable which has been passed under Rule 9, the petitioner may avail the statutory alternative remedy as available to him under the law. It is further ordered that if such an appeal is preferred, the same shall be decided within a reasonable time. With the above observation/direction, this writ petition stands disposed of. Sd/- (Goutam Bhaduri) Judge	
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