

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.678 of 2021**

R. N. Nikunj, S/o Late Shri B.R. Nikunj, Aged About 56 years, R/o Village And P.O. Bagbahar (Dumarmunda), Teh. Pathalgaon, District Jashpur, Chhattisgarh 496220.

---- **Petitioner****Versus**

State of Chhattisgarh, Through The Joint Secretary, Department of Panchayat And Rural Development, Govt. of Chhattisgarh, Mahanadi Bhawan, Nawa Raipur Atal Nagar Chhattisgarh, 492002.

---- **Respondent**

For Petitioner	:	Mr. Pradeep Saksena, Advocate.
For State/Respondents	:	Ms. Hamida Siddiqui, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy, J**Order On Board****18.02.2021**

1. The dispute in the instant case is the non granting of the salary and other benefits which the petitioner is entitled for upon reinstated in service after the order of suspension was revoked.
2. The facts of the case are that the petitioner was implicated in a criminal case and on account of which the petitioner was placed under the suspension vide order dated 30.11.2012. The criminal case in which Petitioner was implicated finally got concluded and the petitioner was acquitted from the charges levelled against him. Thereafter the Respondents upon the petitioner being acquitted revoked the order of suspension and took him back in

service vide order dated 07.02.2018. During the said period of suspension, the petitioner has received only the subsistence allowance and by virtue of the acquittal in the criminal case and the revocation of the suspension and there being no disciplinary proceedings initiated by the respondents, the petitioner is claiming for the reliefs of consequential benefits including the difference of wages and other benefits that he would have got otherwise had he not been placed under the suspension in terms of Rule 54 (B) of the Chhattisgarh Fundamental Rules applicable for the government employee. The contention of the petitioner is that the petitioner has been repeatedly approaching the Authorities for claiming the said benefits but till date it has not been finalized.

3. The writ petition at this juncture stands disposed of directing the respondent to consider the claim of the petitioner in accordance with the Rule 54 (B) of the Chhattisgarh Fundamental Rules and an appropriate decision be taken at the earliest preferably within a period of 2 months from the date of copy of receipt of this order.

Sd/-
(P. Sam Koshy)
Judge