

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1171 of 2021**

Ram Kumar Rajwade S/o Late Shri Matak Ram, Aged About 49 Years
Working On The Post Of Panchayat Secretary, Village Panchayat
Rampur-J, Police Station And Tahsil Baikunthpur, District Koriya
Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh
2. The Collector Koriya, Baikunthpur, District Koriya, Chhattisgarh
3. The Chief Executive Officer, Zila Panchayat, Koriya, Baikunthpur, District Koriya Chhattisgarh
4. The Chief Executive Officer, Janpad Panchayat, Baikunthpur, District Koriya, Chhattisgarh

---- **Respondents**

For Petitioner	:	Ms. K. Radhika, Advocate
For State	:	Mr. Amit Buxy, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15.03.2021

1. The grievance of the petitioner in the present writ petition is the prolonged suspension of the petitioner w.e.f. 27.10.2020.
2. Learned counsel for the petitioner submits that till date though more than 4 ½ months have passed, the respondents have not proceeded

further with the disciplinary proceedings against the petitioner and the petitioner still remains under suspension. According to the petitioner, in between there was a show cause notice issued on 05.12.2020 to which the petitioner gave his reply on 26.12.2020. However, thereafter, there has been no further development. Counsel for the petitioner makes a prayer that in the light of the judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary v. Union of India through its Secretary and Anr.** reported in **(2015) 7 SCC 291** the respondent authorities are required to review/reconsider the order of suspension of the petitioner and to decide whether the petitioner needs to be continued under suspension or not.

3. Learned counsel appearing for the State submits that since more than 4 ½ months have lapsed and keeping in view the judgment of the supreme Court in the case of Ajay Kumar Choudhary (supra) the authority shall review/reconsider the continuation of the suspension of petitioner at the earliest.
4. Accordingly, the writ petition stands disposed of directing the respondent no.3 to take an appropriate decision on the aspect whether the petitioner needs to be continued under suspension or not, taking into consideration the period of time lapsed by now and also keeping in view the judgment of Ajay Kumar Choudhary (supra). Let an appropriate decision be taken at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge