

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2052 of 2021**

Ashok Kumar Kosle S/o Shankar Lal Kosle, Aged About 38 Years, R/o Village Macheva, Ward No. 01, Maharshi Vidyamandir, Near Church, Mahasamund, District – Mahasamund, Chhattisgarh

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

1. State Of Chhattisgarh, Through - Secretary, Revenue Department, Mantralay, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh
2. The Collector, Mahasamund, District - Mahasamund, Chhattisgarh
3. The Sub - Divisional Officer (Revenue), Mahasamund, District - Mahasamund, Chhattisgarh

---- **Respondents**

For Petitioner	:	Ms. Anuja Sharma, Advocate
For State	:	Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.06.2021**

1. The challenge in the present writ petition is to the punishment order dated 19.12.2018 issued by the respondent no.3 whereby the punishment of stoppage of 4 increments with cumulative effect has been passed.
2. During the course submission learned counsel for the petitioner submits that the petitioner has already preferred a departmental appeal before the appellate authority i.e. respondent no.2 and the appeal is pending consideration before the respondent no.2 for almost 2 years

now. Counsel for the petitioner at this juncture is assailing the issuance of charge sheet itself which according to the petitioner was not sustainable in view of the rule position as it stands.

3. Given the fact that the final order of punishment has already been passed and the final order is already under challenge before the appellate authority, this Court is of the opinion that the present writ petition during the pendency of the appeal before the appellate authority would not be maintainable.
4. Accordingly, the writ petition at this juncture stands disposed of directing the respondent no.2 i.e. the appellate authority to take a decision on the appeal at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
5. The writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**