

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2121 of 2021**

Jai Prakash Singh Thakur S/o Shri Narayan Singh Thakur, Aged About 56 Years, R/o Village And Post Pataud, Block Kanker, District Kanker (Chhattisgarh) 494334

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

1. State Of Chhattisgarh Through Secretary, Women And Child Development Department, Mahanadi Bhawan, Nava Raipur, (Chhattisgarh)
2. The Collector Kondagaon, District Kondagaon, Chhattisgarh
3. District Programme Officer, Women And Child Development, District Kondagaon, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Pranjal Shukla, Advocate
For State	:	Mr. Amrito Das, Addl. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10.06.2021**

1. The grievance of the petitioner in the present writ petition is the prolonged suspension in spite of the fact that the criminal case for which the petitioner was placed under suspension stands concluded wherein the petitioner has been acquitted.
2. According to the petitioner, the acquittal appeal preferred by the State has also been rejected and the criminal proceeding thus has attained finality. According to the petitioner, he was placed under suspension on 29.08.2011 only on getting implicated in the FIR under the

provisions of the Prevention of Corruption Act. The order of suspension till date has not been revoked in spite of the fact that the petitioner stands acquitted in the criminal case. Learned counsel for the petitioner submits that there is also no disciplinary proceeding initiated against the petitioner by the department on which count also the petitioner could have been placed under suspension. Thus, the petitioner is entitled for a suitable direction to be issued to the respondents for reinstatement in service after revocation of suspension and for all consequential benefits in the light of the acquittal.

3. Learned Additional Advocate General, however, submits that the fact needs to be verified whether any disciplinary proceeding was initiated or pending against the petitioner and also whether the petitioner still continues under suspension in spite of the acquittal order in his favour or not.
4. Given the facts and circumstances of the case, subject to verification of the doubts raised by the Additional Advocate General, the writ petition at this juncture in the larger interest of justice can be disposed of directing the respondent no.3 to take a decision at the earliest preferably within a period of 60 days from the date of receipt of copy of this order deciding as to whether the suspension order issued in favour of the petitioner is to be revoked in the light of the judgment of acquittal which has been affirmed by an acquittal appeal preferred by the State.
5. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge