

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3042 of 2021**

Suresh Kurre S/o Late Atmaram Kurre, Aged About 41 Years, Working As Labor Inspector Jashpur, R/o Sai Niwas Apartment, House No. 201/T, Face-1, 2nd Flore Torwa, P.S. Torwa, District Bilaspur, Chhattisgarh

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

1. State Of Chhattisgarh Through Secretary, Department Of Labor Commissioner, New Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. The Labor Commissioner, Chhattisgarh, Office Of Labor Commissioner, New Raipur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Syed Ishhadil Ali, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****29.06.2021**

1. Aggrieved by the prolonged suspension of the petitioner from service the present writ petition has been filed.
2. The petitioner was working under the respondents as a Labour Inspector who was implicated in a criminal case under the Prevention of Corruption Act and was arrested on 14.10.2019. In the light of the petitioner remaining under custody for a period of 48 yours, his services were placed under suspension vide order dated 23.11.2019. Though more than 1 ½ years have lapsed, the petitioner is under suspension and therefore, the present writ petition has been filed for an appropriate direction to the respondents 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** where it was required for reconsideration of suspension beyond the period of 90 days.

3. Given the aforesaid legal position as it stands and also taking into consideration the circular of the State Govt. where beyond the period of 12 months the Department should reconsider whether the suspension has to be continued or not, the writ petition at this juncture stands disposed of directing the respondents to take an appropriate decision taking into consideration the entire factual matrix of the case as to whether the suspension of the petitioner needs to be continued or it needs to be revoked. Let an appropriate decision be taken in this regard within a period of 60 days from the date of receipt of copy of this order.
4. The writ petition stands disposed of.

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