

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4576 of 2021

1. Victor Lakra S/o Luru Lakra Aged About 50 Years Presently Working As Panchayat Secretary, Office Of The Janpad Panchayat Kunkuri, Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Panchayat Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh.
2. Deputy Director Panchayat Jashpur, District Jashpur, Chhattisgarh.
3. Collector, Jashpur District Jashpur, Chhattisgarh.
4. Chief Executive Officer Janpad Panchayat Kunkuri, District Jashpur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri CJK Rao, Advocate.
For State	:	Shri Suyash Dhar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01.09.2021

1. The limited grievance that the petitioner has in the present writ petition is the inaction on the part of the respondents in not considering, deciding and settling the entitlement of the petitioner during the period of suspension between 29.08.2017 till the date of minor punishment in the disciplinary proceedings dated 22.06.2021.
2. According to counsel for the petitioner, the services of the petitioner while working on the post of Panchayat Secretary was placed under suspension vide order dated 29.08.2017. The petitioner was subjected to disciplinary proceedings which finally got concluded vide order dated 22.06.2021. The authorities found the petitioner guilty of a misconduct and he has been inflicted with a minor punishment of stoppage of two annual increments without cumulative effect.
3. The grievance of the petitioner now is that firstly he was not paid any subsistence allowance for the period of around three years during which he was placed under suspension and secondly even if the punishment is

imposed vide Annexure P/1 dated 22.06.2021, the respondents are not taking any decision as to how the period of suspension has to be treated and how and what would be the benefits which the petitioner would be entitled for during the suspension period, whereas the authorities ought to have taken all necessary steps in granting all consequential benefits to the petitioner for the period of suspension as the petitioner has been subjected to only a minor punishment which would entitle him for all consequential benefits.

4. Be that as it may, since there is no order as to how the period of suspension has to be treated and what the petitioner would be entitled for during the said period and also as regards the claim of the petitioner for subsistence allowance for the period of suspension, the writ petition at this juncture stands disposed of directing the respondents No.2 to 4 to take an appropriate decision on the claim of the petitioner for the benefits during the said period of suspension. Let an appropriate decision be taken in this regard at the earliest preferably within a period of sixty days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge