

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4592 of 2021

G. S. Dubey S/o Late Shriram Dubey Aged About 56 Years Posted As Assistant Grade II, At Government P.G. College Baikunthpur , R/o G-19, New Prema Bag Colony, Baikunthpur District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary Department Of Higher Education Mantralaya Mahanadi Bhawan, Atal Nagar , Naya Raipur , District Raipur Chhattisgarh
2. Commissioner Cum Director Department Of Higher Education, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
3. Additional Director Department Of Higher Education Mantralaya Mahanadi Bhawan, Atal Nagar , Naya Raipur , District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate.
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/09/2021

1. Aggrieved by the order of suspension dated 13.08.2021, the present writ petition has been filed.
2. Challenge to the order of suspension is two fold. Firstly, the allegations made in the order of suspension is totally false and baseless without any iota of evidence. The second ground of challenge is to the impugned order to the extent of change of headquarters. According to the petitioner, having placed under suspension the headquarters could not have been shifted. Moreover, according to the petitioner, the petitioner suffers from physical disability of more than 70% and therefore also the changing of

headquarters at this juncture put the petitioner to great inconvenience and hardship.

3. Perusal of the impugned order would show that the order of suspension has been passed under the provisions of Chhattisgarh Civil Services(Classification, Control and Appeal) Rules, 1966. Rule 23 provides for an appeal and present impugned order is also an appealable order.
4. Given the fact that petitioner has a remedy of statutory appeal, the writ petition at this juncture stands disposed of permitting the petitioner to prefer departmental appeal to the Appellate Authority on both the grounds and on which the present writ petition has been filed. Subject to the petitioner preferring an appeal, the Appellate Authority is expected to take a decision on the appeal at the earliest preferably within a period of 45 days from the date the appeal is filed by the petitioner.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit