

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5063 of 2021**

1. Smt. Priya Amle W/o Tikesh Yadav Aged About 33 Years Junior Engineer (Suspended) C. S. P. D. C. L. Mungeli R/o Vaishnawi Vihar, Near Ram Krishna Store, Uslapur District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. Executive Director, Bilaspur Region Chhattisgarh State Power District Company Limited Bilaspur Chhattisgarh
2. Superintending Engineer Bilaspur Circle, Chhattisgarh State Power Distribution Company Limited Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Mr. Somnath Verma, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.09.2021**

1. The grievance of the petitioner in the present writ petition is the prolonged suspension of services of the petitioner.
2. According to the counsel for the petitioner, the petitioner was placed under suspension on an alleged act of misconduct vide order dated 05.08.2020. The petitioner was placed under suspension contemplating departmental enquiry, However, though more than 1 year has lapsed, the departmental enquiry is progressing at a slow pace and the petitioner remained under suspension for a period of more than one year.
3. Counsel for the petitioner refers to the judgment of the Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary vs. Union of***

India reported in 2015 (7) SCC 291., where the disciplinary authorities or the authorities who have placed an employee under suspension to reconsider, whether the suspension has to be extended beyond a period of 90 days or not. In the instant case, the petitioner had made a representation in this regard to the respondents on 10.08.2021 on which also, there is no further progress made by the respondents.

4. Given the limited grievance that the petitioner has, this Court is of the opinion that the writ petition itself can be disposed of at this juncture keeping in view the observations/directions issued by the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary (Supra) where the disciplinary authorities or the authorities placing the employee under suspension is duty bound to reconsider beyond a period of 90 days so far as extending the period of suspension is concerned. Let the respondents No. 1 & 2 take an appropriate decision in-respect-of the petitioner's prayer for revoking the suspension order in accordance with the observations made by the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary (supra), at the earliest preferably within a period of 45 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge

J/-