

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5090 of 2020**

Uttara Kumar Sahu Son Of Samaru Ram Sahu Aged About 29 Years
Working As Lecturer (L.B.), Govt. Higher Secondary School, Balpur, Block-
Balodabazar, District- Balodabazar-Bhatapara (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya Atal Nagar, New Raipur, District- Raipur (Chhattisgarh)
2. The Secretary Government Of Chhattisgarh, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya Atal Nagar, New Raipur, District- Raipur (Chhattisgarh)
3. The Director Directorate Of Public Instruction, Indravati Bhawan, Block Three, First Floor, Atal Nagar, Raipur (Chhattisgarh)
4. The Chief Executive Officer Zila Panchayat, District- Balodabazar-Bhatapara (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. S. P. Sahu, Advocate
For State	:	Mr. Sudeep Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

12/01/2021

1. The challenge in the present writ petition is to the order of suspension dated 03.11.2020. The suspension seems to have been made on account of petitioner getting inflicted in a criminal case wherein the FIR stood lodged for offence under Section 294, 323, 34, 506 of the IPC. He was also arrested on 02.11.2020 and subsequently has been released on 04.11.2020 from jail. Meanwhile on account of petitioner getting inflicted in

a criminal case he has been vide the impugned order Annexure P-1 placed under suspension.

2. Since the order of suspension has been issued invoking the provisions of Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules. Under the same rules the order of suspension is an appealable order and therefore the present writ petition on account of there being availability of the alternative statutory remedy would not be maintainable/sustainable.
3. Reserving the right of the petitioner to prefer an appeal under Section 23 before the Appellate Authority, the present writ petition stands disposed of at this stage. In the event of appeal being preferred by the petitioner, the Appellate Authority is expected to take a decision on the appeal within a period of 60 days on its own merits.

Sd/-
(P. Sam Koshy)
Judge

Rohit