

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5906 of 2021**

1. Ghanshyam Singh Porte S/o Late Mitthan Singh Aged About 37 Years R/o Barendra, Post Rengakharkala, Police Station Rengakhar, Tahsil Bodla, District Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhavan Mantralaya, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Director Panchayat Secretary, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh.
3. Collector Kawardha, District- Kabirdham, Chhattisgarh.,
4. Chief Executive Officer Janpad Panchayat Bodla, District- Kabirdham, Chhattisgarh
5. Block Education Officer Block Bodla, District- Kabirdham, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ajit Singh, Advocate.
For State	:	Mr. Rajendra Tripathi, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.10.2021**

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not taking appropriate steps in granting the joining in service to the petitioner.
2. The facts of the case is that the petitioner was working on the post of Shiksha Karmi Grade -III under the respondents. That a false FIR was lodged against the petitioner and he was implicated for an offence u/s 363, 366- A and 376 (1) of the I.P.C. and section 4 of the POSCO Act 2012. Initially the Trial Court convicted the petitioner on 11.08.2014 and sentenced the petitioner to

undergo R.I. for seven years with fine of Rs. 500/-. However, the petitioner challenged the judgment of conviction by criminal appeal No. 920 of 2014. The criminal appeal stood allowed and the petitioner has been acquitted from all the charges levelled against the petitioner. Meanwhile, on account of the implication of the petitioner in a criminal case, he was suspended and he has been receiving subsistence allowance for a considerable period of time and for the last couple of years, the subsistence allowance also has been stopped.

3. The grievance of the petitioner now is that the appeal has been decided in his favour and he has been acquitted, the respondents are duty bound to revoke the order of suspension and take him back in service which the respondents have till date not done.
4. In view of the limited grievance that the petitioner has raised, the writ petition at this juncture is disposed of directing the respondents No. 2, 4 & 5 to take an appropriate decision on the claim of the petitioner for being taken back in service. Accordingly, the respondents are directed to take an appropriate decision within an outer limit of 60 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge