

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5483 of 2020**

1. Anurag Awasthi S/o Late Shiv Shashi Awasthi, Aged About 25 Years R/o Kumharpara, Ward No. 6, Masturi, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through - The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh.
2. The Director, Directorate Health Services, Indrawati Bhawan, Atal Nagar, Naya Raipur Chhattisgarh.
3. The Divisional Joint Director, Health Services, Bilaspur, District Bilaspur Chhattisgarh.
4. The Chief Medical And Health Officer, Bilaspur, District Bilaspur Chhattisgarh.
5. The Block Medical Officer, Community Health Center, Masturi, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. V.K. Pandey Advocate
For State	:	Mr. Amit Buxy, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.01.2021**

1. The claim of the petitioner is the continuation of the suspension period for a prolonged period.
2. The contention of the petitioner is that he was working on the post of Assistant Grade –III at the Community Health Center, Masturi District Bilaspur. However, subsequently on account of getting involved in a criminal case, the petitioner was placed under suspension vide order

dated 09.11.2018 and he still remains under suspension. The criminal case also initiated against the petitioner vide crime No. 448/2018 which is still pending at the stage of evidence therefore it may still take considerable period of time for its final outcome.

3. The prayer of the petitioner is that in the light of the judgment of the Supreme Court in the case of Ajay Kumar Choudhary Vs. Union of India and Another, reported in 2015 (7) SCC 291, the claim of the petitioner for revocation of suspension ought to have been considered by the respondents.

4. Without expressing any opinion on the merits of the case, the writ petition is disposed of directing the petitioner to approach the respondent No. 4 with a representation to be made within a period of 10 days. On such representation being made, the respondent No. 4 shall take a decision on the representation so far as the revocation of suspension is concerned in the light of the judgment of the 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 representation of the petitioner.

Accordingly, the writ petition stands disposed of.

Sd/-

P. Sam Koshy
Judge