CGHC010389472026 2026:CGHC:43415

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7351 of 2026

Somesh Kumar Dubey S/o Late Shri Bharat Lal Dubey, Aged About 46 Years Posted As Peon At Eklavya Vidyalay, Kusumbuda, Chura, District - Gariyaband (C.G.) R/o Village- Post - Pond, Block- Abhanpur, District - Raipur (C.G.)

... Petitioner

versus

1 - State of Chhattisgarh Through Its Secretary , Department of Tribal Welfare Department, Mahanadi Bhavan, Atal Nagar, Naya Raipur, District - Raipur (C.G.)

2 - The Collector / President Of District Level Eklavya Model Residential School, Gariyaband (C.G.)

3 - Assistant Commissioner/ Secretary Of District Level Eklavya Model Residential School, Gariyaband, District- Gariyaband, (C.G)

... Respondents

For Petitioner	:	Mr. Yogesh Pandey, Advocate
For State/Respondent	:	Mr. Anadi Sharma, PL

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

07/10/2026

1. The present writ petition has been filed by the petitioner seeking the following reliefs:-

ASHUTOSH MISHRA
Digitally signed by ASHUTOSH MISHRA
Date: 2026.10.07 17:58:09 +0530

> "1) That this Hon'ble Court may kindly please to direct the respondent No.2 to decide the petitioners representation and further the Hon'ble Court may kindly direct the respondent No. 2 to revoke the suspension order and reinstate the petitioner in service in the interest of justice.
>
> 2) Cost of proceedings & any other writ or direction which the Hon'ble Court may deem fit and proper under the facts and circumstances of the case my also be issued."

2. Learned counsel for the petitioner submits that the petitioner was suspended on 10.02.2025 as such has remained under suspension for about one year and Eight months and that the continued suspension, without conclusion of the departmental enquiry and without any decision upon his representations, is causing serious prejudice to him. He further submits that the petitioner has already submitted a representation dated 17.06.2025 (Annexure P-2) seeking revocation of the suspension order, but the same is still pending consideration before the competent authority. He, therefore, prays that a direction be issued to the concerned authority to consider and decide the said representation within a stipulated period.

3. Learned State counsel submits that if the representation submitted by the petitioner is pending consideration, the same shall be examined and decided by the competent authority in accordance with law, keeping in view the applicable circulars/ instructions of the State Government as well as law laid down by the Hon'ble Supreme Court, on its own merits, within a reasonable period.

4. Heard learned counsel for the parties and perused the material available

on record.

5. Considering the limited prayer made by learned counsel for the petitioner and without expressing any opinion on the merits of the case, this petition is disposed of with a direction to the competent respondent authority to consider and decide the petitioner's representation dated 17.06.2025 (Annexure P-2), seeking revocation of suspension and reinstatement, in accordance with law, on their own merits, expeditiously, preferably within a period of 40 days from the date of receipt of a copy of this order. It is further directed that the competent authority shall pass a reasoned and speaking order upon the aforesaid representation and communicate the decision to the petitioner forthwith.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

7. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner, and the competent authority shall take an independent decision strictly in accordance with law.

SD/-
(Bibhu Datta Guru)
JUDGE

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