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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5573 of 2022

- Ashok Kumar Pathak S/o Late Kailash Pathak Aged About 62 Years R/o B-52, Vijyapuram Phase-1, Seepat Road, Thana - Sarkanda, Bilaspur, Presently Posted As Deputy Milk Commissioner, Raigarh, Office Of Deputy Director Veterinary Services, Raigarh (C.G.).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Animal Husbandry, Veterinary Services And Dairy Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur (C.G.).
2. The Director Office Of Directorate Animal Husbandry And Dairy Department (Veterinary Services), Indrawati Bhawan, Atal Nagar, Raipur (C.G.).
3. Joint Director Department Of Animal Husbandry (Veterinary Services), Bilaspur (C.G.).
4. Deputy Director Department Of Animal Husbandry (Veterinary Services), Raigarh (C.G.).
5. Joint Director Treasuries Account And Pension, Office Of Joint Director, Treasuries Account And Pension, New Building Collectorate Office, District - Bilaspur (C.G.).

---- Respondents

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Bilaspur

For Petitioner : Mr. Vinod Kumar Deshmukh, Advocate
For State : Mr. Anshuman Shrivastava, P. L.

Hon'ble Shri Justice Narendra Kumar Vyas

Order on Board

25.08.2022

1. The petitioner has filed the instant petition as he is aggrieved by the order dated 05.08.2022, by which he was suspended by the respondent No. 1.
2. Learned counsel for the petitioner would submit that the suspension order has been issued on the allegation levied against him that the petitioner has wrongly interpreted the order of the Hon'ble High Court in WPS No. 3071/2019 and granted financial benefit of regularisation with higher pay scale to shri Shriram Lanjewar, retired Chowkidar.

3. As the suspension order of the petitioner is an appealable order and as per Rule 23 of the Chhattisgarh Civil Service (Classification, Control and Appeal) Rules, 1966, the petitioner has an alternative remedy of filing appeal.

4. In view of above, the petitioner would be at liberty to file appeal before the appellate authority as per the Chhattisgarh Civil Service (Classification, Control and Appeal) Rules, 1966. In the eventuality of filing such appeal within four weeks from the date of receipt of copy of this order, it is directed that the appellate authority shall consider and decide the same expeditiously preferably within outer limit of five weeks from the date of receipt of the appeal.

5. With the aforesaid observations, the writ petition stands finally disposed of.

Sd-
(Narendra Kumar Vyas)
Judge

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