



2026:CGHC:9967



2026:CGHC:9967

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2057 of 2026

Sanjay Kumar Netam S/o Shri Pyarelal Aged About 41 Years Resident Of Anandam World City, Kachna Road, Raipur, District Raipur, Chhattisgarh 492014

... **Petitioner**

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Public Health And Family Welfare, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh

2 - Controller Food And Drug Administration, Indrawati Bhawan, New Raipur, Raipur, Atal Nagar, District Raipur, Chhattisgarh

... **Respondents**

For Petitioner	:	Mr. Sunil Otvani, Senior Advocate assisted by Mr. Rohan Shukla, Advocate
For State	:	Mrs. Anuja Sharma, Dy. Govt. Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

26.02.2026

1. Petitioner has filed this writ petition seeking following reliefs:-

"1. That, this Hon'ble Court may kindly be pleased to issue a writ/writs, direction/directions, order/orders to quash the impugned order dated 10.02.2026 (Annexure P/1) passed by the Respondent no. 1.

2. That, this Hon'ble Court may kindly be pleased to issue a writ/writs, direction/directions, order/orders directing the



respondent no. 1 to reconsider the order impugned dated 10.02.2026 on the basis of circular dated 27.11.2012 i.e. (Annexure P-7).

3. That, this Hon'ble Court may kindly be pleased to grant any other relief(s), which is deemed fit and proper in the aforesaid facts and circumstances of the case.”

2. At the outset learned counsel for petitioner submits that he is not pressing the relief no. 10.1 to quash the impugned order dated 10.02.2026 (Annexure P/1) passed by respondent no. 1 (order of suspension). However, he is restricted only with relief 10.2 which is for direction to respondent no. 1 to reconsider the order impugned dated 10.02.2026 on the basis of circular dated 27.11.2012 i.e. Annexure P-7.
3. Learned counsel for petitioner further submits that petitioner is holding the post of Assistant Drug Controller and belongs to Scheduled Tribe category officer. He submits that the State of Chhattisgarh has issued a circular dated 27.11.2012 wherein it is provided that if any mistake is committed by an employee belonging to Scheduled Tribe/Scheduled Caste/Other Backward Class officers then first step to be taken is to give counseling for their improvement and thereafter, warning. In the case at hand the circular issued by State of Chhattisgarh dated 27.11.2012 has not been followed and straight away suspension order has been issued against petitioner, therefore, petitioner may be permitted to submit fresh representation along with the copy of said circular issued before the concerned authority and in turn, direction be issued to authority to consider and take decision on the representation within stipulated period.
4. Learned counsel for respondent -State submits that as petitioner is not pressing this writ petition on merits and is only seeking permission to



submit representation and direction to consider and take decision on representation to be submitted by petitioner in light of circular issued by State of Chhattisgarh dated 27.11.2012, she is having no objection.

5. I have heard learned counsel for respective parties.
6. On due consideration of submission made by learned counsel for respective parties, this writ petition at this stage is disposed of permitting petitioner to submit comprehensive and detailed representation before respondent no. 1 and, if, such a representation is submitted before the concerned authority, it shall be considered and decided in accordance with law, expeditiously, preferably within a further period of 03 weeks from the date of receipt of the representation.
7. With the aforementioned direction, this writ petition stands disposed of.

Certified copy as per rules.

sd/-

(Parth Prateem Sahu)
Judge

Alfiza