



2026:CGHC:21029



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 9216 of 2025**

1 - Deepak Kumar Dewangan S/o Shri Babulal Dewangan Aged About 45 Years Occupation- Sub Engineer, Municipalities Mungeli, R/o- Banglapara, Chakradhar Nagar Raigarh, Police Station Chakradhar Nagar, Tahsil And District- Raigarh (C.G.) Mo. No. 9754611339

--- Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Department Of Urban Administration, Mahanadi Bhawan, New Mantralaya, Atal Nagar Raipur, Police Station- Rakhi, Tahsil And District Raipur (C.G.)

2 - Director Urban Administration And Development Department, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

3 - Collector Mungeli District- Mungeli (C.G.)

4 - Chief Municipalities Officer Municipalities Mungeli, District Mungeli (C.G.)

5 - Chief Municipalities Officer Municipalities Lormi, District- Mungeli (C.G.)

--- Respondent(s)

(Cause title is taken from CIS system)

For Petitioner	: Mr. Ratnesh Kumar Agrawal, Advocate
For Respondents/State No. 1 to 3	: Mr. Aditya Tiwari, P.L.
For Respondent No.4 & 5	: Mr. Shikhar Shukla, Advocate



Hon'ble Shri Justice Parth Prateem Sahu
Order On Board

05/05/2026

1. Petitioner has filed this petition seeking following relief (s) :-

“10.1 That, this Hon’ble Court may kindly be pleased to call for entire records of the case, from the authorities.

10.2 That, this Hon’ble Court may kindly be please to direct the respondent no.4 to provide salary from the month of July 2024 to till now and further be please to direct to allow the work in his office to the petitioner, is in the interest of justice.

10.3 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given.”

2. Learned counsel for petitioner submits that petitioner while working as Sub-Engineer with respondent No.5 has been put under suspension by respondent No.3/Collector vide order dated 16.07.2024. He contended that respondent authorities have not issued charge memo within time prescribed under Rule 9 of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 (In short ‘the Rules, 1966’), however, it was only served upon petitioner on 04.10.2024 vide Annexure P-3 i.e. beyond period of 45 days. He contended that proviso to Rule 9 (5) (a) read with Rule 9 (2) (a) of the Rules, 1966, provides that the order of suspension shall stand revoked automatically upon expiry of period of 45 days or 90 days as the case may be if the charge memo has not been served upon delinquent employee from the date of order of suspension. When charge-memo



was not served upon petitioner within 45 days (in the facts of the case), after expiry of 45 days from the the date of issuance of order of suspension or of suspension has been revoked automatically. Petitioner has made representation before respondent No.5, which is not considered and decided, therefore, direction be issued to respondent No.5 to take decision on the representation at the earliest.

3. Learned counsel for respondent No.4 and 5 would submit that he is not disputing the submission made by learned counsel for petitioner on facts, however, he submits that order of suspension is passed by respondent No.3, which was affirmed by respondent No.2, therefore, appropriate authority in the facts of the case to consider the claim of petitioner in view of the provision under Rule 9 (5) (a) of the Rules, 1966 would be respondent No.2 and 3.
4. At this stage, learned counsel for petitioner submits that petitioner will submit fresh representation before respondents No.2 and 3 and direction be issued to concerned authorities to consider and take decision on the representation submitted by petitioner at the earliest within specified time frame.
5. Learned State counsel submits that he is having no objection to the limited prayer made by learned counsel for petitioner.
6. On due consideration of the submission of learned counsel for respective parties, nature of grievance raised and further considering the claim of petitioner based on the provision under proviso to Rule 9 (5) (a) of the Rules, 1966, this writ petition at this stage is disposed of permitting petitioner to submit fresh comprehensive representation along with supporting documents before respondent No.2 and 3 and if



such a representation is submitted, concerned authority shall consider and take decision on the representation to be submitted by petitioner in accordance with the provisions of the Rules, 1966 expeditiously preferably within further period of one month from the date of receipt of representation.

7. With the aforesaid observations and directions, this petition stands disposed of.

Sd/-
(Parth Prateem Sahu)
Judge

Balram