

(2024) 09 CHH CK 1093
In the Chhattisgarh High Court
Case No : WP(S) 5500 Of 2024

Shilpi Naredia

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 06-09-2024

Acts Referred:

Citation : (2024) 09 CHH CK 1093

Hon'ble Judges : Sachin Singh Rajput, J

Bench : Single Bench

Advocate : Neeraj Choubey, Avinash Singh

Final Decision : Disposed Of

Judgement

Sachin Singh Rajput, J

1. The petitioner has filed this writ petition seeking for the following relief(s);

"i) That, the Hon'ble Court may kindly be pleased to call the entire records pertaining to the case of the petitioner from the respondents.

ii) The, Hon'ble Court may kindly be pleased issue a writ of certiorari or any other writ, order or orders by quashing the impugned orders dated 04.06.2024, (??NEXURE-P/1) passed by the respondent No.2, because the respondent No.2 not inclined to decide the departmental appeal of the petitioner which is pending before the respondent No.2 since 01.07.2024.

OR

iii) The, Hon'ble High Court may kindly be pleased to direct the respondent no.2 to decide the departmental appeal of the petitioner dated 01.07.2024 (Annexure-P/10) after appreciating the submission & documents of the petitioner on its merit in according with law within a stipulated period of one month by passing speaking.

iv) The, Hon'ble Court may kindly be Grant any other order or orders which this

Hon'ble Court may deem fit in the fact and circumstances of the case along with the cost of the writ petition is also awarded."

2. Learned counsel for the petitioner submits that a departmental enquiry has been initiated against the petitioner which culminated into the punishment of recovery of Rs. 3,68,222/- was directed to be made in installment from the salary of the petitioner and stoppage one increment without cumulative effect was also imposed against the petitioner. He submits that against the order inflicting the punishment upon the petitioner, she preferred an appeal before the appellate authority i.e. Managing Director of the respondents on 01.07.2024 and as such, the said appeal has not been decided. He submits that in all likelihood, the proceedings for promotion would be carried out by the respondents in the event, appeal is not decided, the penalty imposed upon the petitioner would remain as it is which may cause hindrance in her possibility for consideration of promotion. Therefore, he prays that respondent No. 2 may be directed to decide the pending appeal of the petitioner Annexure P/10 within a reasonable period of time.

3. On instruction Mr. Singh submits that the pending appeal of the petitioner would be decided in accordance of law within a reasonable period of time.

4. I have heard learned counsel for parties and perused the documents available on record.

6. Be that as it may, after perusal of the records this Court inclines to disposed of this writ petition directing the respondent No. 2 to take decision on the appeal filed by the petitioner Annexure P/10 within a period of 45 days from the date of production of copy of this order. If any adverse order is passed against the petitioner, she may avail legal remedy available under the law.

7. Accordingly, the petition is disposed of with aforesaid observations and directions. All pending applications if any are also disposed of.

8. It is made clear that this Court has not expressed any opinion on the merits of the case.