



**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE**

**HON'BLE SHRI JUSTICE SUBODH ABHYANKAR**

**ON THE 12<sup>th</sup> September, 2024**

**W.P.NO.27033/2024**

***Dr. Smita Singh (Surendran)***

*Versus*

***STATE OF MADHYA PRADESH AND OTHERS***

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**Appearance:**

***Shri Aditya Sanghi - Advocate for the petitioner.***

***Ms. Mridula Sen- P.L./G.A. for the State.***

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**ORDER**

- 1] Heard on the question of admission.
- 2] This petition has been filed by the petitioner against the order dated 29.8.2024 (Annexure P-13), whereby, the petitioner, who was posted as (Medical Officer) P.G.M.O, District Shahjapur, has been suspended on account of various irregularities committed by her, and her headquarter has been directed to be at District Hospital, Sujalpur, District Shahjapur.
- 3] Shri Aditya Sanghi, learned counsel appearing for the petitioner has vehemently assailed the aforesaid order, and has submitted that the petitioner is being victimized by the authorities on account of her filing various petitions before this Court against the orders passed by the State Authorities. Copies of which have also been placed on record. It is also submitted that the petitioner has also filed a



Contempt Petition No.1625/2021 (Dr. Smita Surendran Vs. Dr. Raju Nidariya) wherein notices have also been issued to the respondent, and subsequently in W.P.No.3287/2022, whereby, the registration of the sonography center was cancelled, stay was granted by this Court vide order dated 10.2.2022, whereas, in W.P.No.16557/2021 also notices were issued and the interim order was passed in favour of the petitioner on 30.9.2021.

4] Counsel for the petitioner has also drawn attention of this Court to the proceedings of Contempt Petition No.570/2022 which was disposed of in *Lok Adalat* on 9.9.2023, as also MCC.No.3106/2023 which was disposed of on 22.12.2023. Similarly, other orders have also placed on record to demonstrate that the petitioner is being harassed by the respondent and every time she approaches this Court, interim relief has been granted to her.

5] Counsel for the respondent/State on the other hand has opposed the prayer, and it is submitted that the order of suspension has been passed under Section 9 of the M.P. Civil Services (Classification, Control and Appeal) Rules, 1966 (hereinafter to be referred to as Rules of 1996) against which an appeal is also maintainable under Rule 23 of Rules 1996, and thus, no case for interference is made out.

6] Heard. Having considered the rival submissions and on perusal of the documents filed on record, and taking note of the impugned order in which various irregularities committed by the petitioner have been taken note of by the department, in such circumstances, when the petitioner has an efficacious alternative remedy available under



Rule 23 of the Rules of 1966, this Court is not inclined to exercise its extraordinary powers under Article 226 of the Constitution of India.

7] Accordingly, the petition is hereby dismissed on account of availability of efficacious alternative statutory remedy available to the petitioner, with liberty reserved to the petitioner to avail the remedy of appeal, if so advised.

8] It is made clear that this Court has not reflected upon the merits of the matter.

9] The petition stands ***dismissed with the liberty as aforesaid.***

**(SUBODH ABHYANKAR)**  
**JUDGE**

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