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WP-37641-2024

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJAY DWIVEDI

ON THE 29<sup>th</sup> OF NOVEMBER, 2024WRIT PETITION No. 37641 of 2024*DR.RAJA SITLANI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Sanjay Agrawal - Senior Advocate assisted by Shri Sarthak Nema - Advocate for the petitioner.*

*Shri D.R. Vishwakarma - Government Advocate for the respondents/State.*

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ORDER

Learned counsel for the petitioner by the instant petition is challenging the order dated 19.11.2024 (Annexure P/7) whereby the petitioner has been placed under suspension.

Learned counsel for the petitioner has pointed out that the impugned order has been passed on a wrong premise and the reason specified therein is completely unfounded. In the order, it is mentioned that the petitioner i.e. Raja Sitlani, who is a Medical Officer, is posted at Community Health Centre, Gohparu, District Shahdol but he is not very sincere in discharge of his duties and during the duty hours he is doing private practice at Shahdol. Learned counsel submits that the petitioner was never posted at Gohparu. He submits that at present the petitioner is posted at Community Health Centre, Jaisingh Nagar, District Shahdol. He submits that as such it is clear that the impugned order has been issued without application of mind and on wrong



premise.

Learned counsel for the respondents/State submits that the petitioner can appear before the authority and apprise them about the illegality in the order and thereafter authority may rectify the said mistake.

I have heard the arguments advanced by the learned counsel for the parties and perused the record.

After perusal of record, it is evidently clear that the impugned order has been issued completely on a wrong premise and the same is based upon incorrect facts. Consequently, this petition is allowed. The order dated 19.11.2024 (Annexure P/7) is hereby set aside. The respondents are at liberty that if they really want to place the petitioner under suspension or to initiate any departmental proceeding against him, they may issue a fresh order with the correct facts.

With the aforesaid, this petition is **allowed and disposed of.**

**(SANJAY DWIVEDI)**  
**JUDGE**

RAGHVENDRA