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2026:CGHC:25352

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 835 of 2021

Lobhan Singh S/o Kunwar Singh Aged About 34 Years Working As Rural Agriculture Extension Officer, Bagbahara, Presently Residing At Village Parsadih, Post Mald, District Baloda Bazar- Bahatapara, District : Balodabazar-Bhathapara, Chhattisgarh.

... Petitioner

versus

- 1-** State of Chhattisgarh Through Principal Secretary, Agriculture Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, Chhattisgarh.
- 2-** Deputy Director Agriculture, District Mahasamund, Chhattisgarh.
- 3-** Sub Divisional Officer (Agriculture) District Mahasamund, Chhattisgarh.
- 4-** Senior Agriculture Extension Officer Block Bagbahara, District Mahasamund, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Mr. Tapan K. Chandra, Advocate
For State	:	Mr. Anway Tiwari, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

22/06/2026

1. The petitioner has filed this petition seeking the following relief(s):-

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records relating to this case.

10.2 That, this Hon'ble Court may kindly be pleased to allow the petition and set-aside the charge sheet dated 02.01.2021 (Annexure P/3) and notice dated 06.01.2021 (Annexure P/4), in the interest of justice.

10.3 That any other relief, which this Hon'ble Court may deem fit and proper together with cost of the petition."

2. Mr. Tapan Chandra, learned counsel appearing for the petitioner would submit that the petitioner was appointed on the post of Rural Agriculture Extension Officer on 19.01.2018. He would contend that an Article of Charge was issued against him on 13.08.2019, which was subsequently withdrawn by Joint Director (Agriculture), Raipur on 23.11.2019; thereafter, a fresh Article of Charge containing similar allegations was issued on 02.01.2021 by Deputy Director (Agriculture), Mahasamund. He would further submit that once an Article of Charge has been issued, the concerned authority has no jurisdiction to withdraw the same and thereafter issue a fresh Article of Charge on identical allegations. In support of his contention, he has placed reliance upon the judgment passed by the Hon'ble Supreme Court in the matter of ***K. R. Deb v. Collector of Central Excise, Shillong (1971 AIR 1447)***.

He would also submit that the petitioner may be permitted to make a representation before respondent No. 1 and, in turn, the authorities concerned may be directed to consider and decide the same expeditiously in accordance with law.

3. On the other hand, learned State counsel would oppose the submissions made on behalf of the petitioner.
4. Heard.
5. Taking into consideration the submissions made by Mr. Chandra and the issue involved in the present case, this petition, at this juncture, is

disposed of reserving liberty in favour of the petitioner to make a representation before respondent authorities within a period of 30 days, and in turn, the authorities concerned are directed to consider and decide the same, in the light of the judgment passed by the Hon'ble Supreme Court in the matter of K.R. Deb (supra), in an objective manner within a further period of 120 days.

6. With the aforesaid observation(s) and direction(s), the petition stands disposed of.

Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim