



CGHC010385752022



2026:CGHC:39018

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 333 of 2023

D.R. Pradhi S/o Late Raghu Prasad Pardhi Aged About 66 Years
Occupation Retired Testing Supervisor Cseb Raipur, Presenting Working
As President Of Kunbi Samaj Sangathan R/o Near Tv Tower, Shri Ram
Nagar, Phase 1, Street No.4, Thana Shankar Nagar, Raipur,
Chhattisgarh.

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Its Special Secretary (Independent
Charge), Department Of Energy, Atal Nagar, Mahanadi Bhawan, New
Raipur, Chhattisgarh.

2 - Chhattisgarh State Power Holding Company Limited Through Its
Director General Manager (Hrd) Daganiya Raipur, District : Raipur,
Chhattisgarh

3 - Rameshwar Nagtode S/o Late Kawdu Nagtode Aged About 61 Years
Occupation Section Officer Working At Chhattisgarh Power Transmission
Company, Danginaya, Raipur, District : Raipur, Chhattisgarh.

... **Respondents**

For the Petitioner : Mr. Ashok Patil, Advocate.

For the State : Mr. Amit Nayak, PL.

For Respondent No.3 : Mr. Hari Agrawal, Advocate with Ms. Pragati
Jaiswal, Advocate.

Hon'ble Mr. Amitendra Kishore Prasad, Judge

Order on Board

03.09.2026

1. This petition has been filed under Article 226 of the Constitution of India with following reliefs:

“10. Relief(s) Sought:

(a) That the this Hon'ble Court may be pleased to direct the respondent No.2 initiate the inquiry proceeding under the provisions of the Civil service (classification, control and appeal) rules 1966 against the respondent No.3 who has committed serious misconduct contrary to The Chhattisgarh Civil service Conduct rule 1965.

(b) Any other relief, which this Hon'ble Court may deem fit and proper according to the facts and circumstances of the case along with the cost of the petition.”

2. Learned counsel for the petitioner submits that by way of this petition, petitioner is seeking initiation of departmental proceedings against respondent No.3, who was working on the post of Section Officer in the Electricity Department under the office of respondent No.2. He contended that respondent No.3 was involved in misappropriation/misuse of funds of a registered social society and by taking advantage of his position, influence in Electricity Department and political connections, represented himself as an office-bearer of the petitioner's Cooperative Society. Respondent No.3, without obtaining prior permission from the Electricity Department, represented himself as an office-bearer/post-holder of the petitioner's society and, thereby, committed serious misconduct in violation of Rules 9 & 16 of the Chhattisgarh Civil Services (Conduct) Rules, 1965 read with Rule 27 of the Chhattisgarh State

Electricity Regulatory Commission (Recruitment and Conditions of Service of Officers and Employees) Regulations, 2005. He further contended that despite having resigned from the petitioner's society, respondent No.3 continued to represent himself as an office-bearer/functionary thereof. Respondent No.3 approached the Officer on Special Duty (OSD) on 10.10.2022, which was a Sunday/holiday and pursuant to his representation/request, the OSD issued a communication to the Collector for taking action against the members of the society who had been invited to attend the annual general meeting of the society scheduled to be held on 23.10.2022.

Learned Counsel further contend that the petitioner is a retired employee of the Chhattisgarh Electricity Board (CSEB), who had served as a Testing Supervisor. Subsequently, he was elected as the President of a registered society, namely Kunbi Samaj Sangathan. The petitioner approached respondent No.2 seeking appropriate departmental action against respondent No.3 for the alleged violation of the service conduct rules. However, no action was taken by the competent authority against respondent No.3. Hence, the petitioner has approached this Court seeking the aforesaid reliefs.

3. Learned State Counsel submits that the petitioner has no locus to seek initiation of disciplinary proceedings against respondent No.3. The petitioner has already submitted a complaint before the competent authority and it is for the said authority to consider the

same and take appropriate action, if warranted, in accordance with law. He further pointed out that respondent No.3 has already retired from the service. Hence, no interference under Article 226 of the Constitution of India is warranted and the petition deserves to be dismissed.

4. Heard learned counsel for the parties and perused the writ petition as well as the material available on record.
5. From perusal of the pleadings of writ petition and available records, it appears that the petitioner has no locus to seek a direction for initiation of departmental proceedings against respondent No.3. The petitioner has already submitted a complaint before the competent authorities against respondent No.3 and now it is upon the concerned authorities to consider the allegations contained therein and to take appropriate action against respondent No.3, if warranted, in accordance with law.
6. Having regard to the aforesaid facts and circumstances of the case, particularly the fact that respondent No.3 has already superannuated from the service, this Court is not inclined to entertain this writ petition.
7. Accordingly, present writ petition is dismissed.

CC as per rules.

Sd/-
(Amitendra Kishore Prasad)
Judge