

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(S) No. 6015 of 2008**

1. Bhagirathi Singh, S/o. Nandhir Singh, aged about 40 years, R/o. Village Sirauli, PO Kathotiya P.S. & Tahsil Manendragarh Distt. Korla (CG)

---- Petitioner

**Versus**

1. State Of Chhattisgarh, through - the Secretary, Forest Department, DKS Bhawan, Raipur (C.G.)
2. The Chief Conservator of Forest (Administration/Non-Gazetted), State of Chhattisgarh Aaranya Bhavan, Medical College Road, Raipur (C.G.)
3. The Conservator of Forest, Ambikapur, District – Surguja (C.G.).
4. Divisional Forest Officer, Forest Division, Manendragarh, District Korla (C.G.)
5. The Superintendent of Police, District Korla (C.G.)
6. Shri Kamlesh Dubey, S/o. Indralal Dubey, aged about 51 years, R/o. Belbehra, P.S. Manendragarh, District Korla (C.G.)

---- Respondents

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|----------------------|---|---------------------------------------------------------------|
| For Petitioner       | : | Mr. Ashish Surana, Advocate with<br>Mr. Adil Minhaz, Advocate |
| For Respondent/State | : | Mr. Anil S. Pandey, Govt. Advocate                            |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**17/11/2015**

1. By the instant petition, the petitioner has prayed the following relief(s) :-

“(i). That, this Hon'ble Court may kindly be pleased to call for the entire records of the enquiries conducted against the respondent No.6 and the consequent directions issued by the higher authorities.

- (ii). That, the Hon'ble Court may kindly be pleased to direct the respondent authorities of the department of forest to comply with the direction issued by the respondent No.2 by its order dated 18.05.2007 (Annexure P/10).
  - (iii) That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to take stern action against the respondent No.6 as per the procedure prescribed by the law.
  - (iv). Any other relief(s) may also be given to the petitioner, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”
2. Predominantly, the reliefs are claimed against the respondent No.6. This Court is not convinced with the submission raised by the petitioner that at the instance of the petitioner, enquiry is required to be initiated or any further order required to be ordered for with respect to the job discharged by the respondent No.6 as claimed by the petitioner.
3. Undoubtedly, the respondent No.6 is the employee of the State Government and it is the prerogative of the State whether to take any action against its employee or not as against the job done by him in official capacity. Any enquiry with respect to the job discharged can not be at the instance of some third party outsider. If such prayer for enquiry is accepted, then virtually the entire administration may come to a standstill.
4. Accordingly, the petition has no merit and is dismissed at the threshold.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge