

sNAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.5002 of 2015**

Smt. Afreen Khan, aged about 25 years, wife of Ayyub Khan, resident of at present C/O Ameen STD/PCO Talapara, Bilaspur, District Bilaspur. ---- **Petitioner**

Versus

1. Ayyub Khan, aged about 28 years, son of Shri Sabit Khan, Constable 442, Police Line, Office of the D.P.O. Through the Superintendent of Police, Janjgir, District Janjgir-Champa (CG)
2. State of Chhattisgarh, through the Secretary, Department of Home, Mahanadi Building, New Raipur, Tahsil and District Raipur.
3. The Superintendent of Police, Janjgir, District Janjgir-Champa (CG) ---- **Respondents**

For Petitioner : Shri Ritesh Verma, Advocate.

For Respondent : Shri Y.S. Thakur, Dy.A.G, on advance copy

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

07/01/2016

(1) Learned counsel appearing for the petitioner submits that the respondent No.1 was married with the petitioner on 29.03.2009 during subsistence of first marriage, respondent No.1 again performed second marriage. He further submits that respondent No.1 is Government Servant and working on the post of Constable under the Superintendent of Police, Janjgir-Champa. Therefore, appropriate direction may be issued to respondents No.2 & 3 to dismiss the service of respondent No.1, which is contrary to the Conduct Rules applicable to the Government Servant.

(2) Learned counsel appearing for the State/respondents No.2 & 3 submits that the departmental enquiry has already been conducted and report has been submitted to the concerned Inspector General of Police.

(3) It is for respondents No.2 & 3 to take decision in accordance with law. However, it is made clear that this Court has not passed any order/direction to the said authorities for removal of respondent No.1 from his service.

(4) With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge