

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.5125 of 2016**

Sukh Das Nag S/o Shri Dashru Ram Nag, Aged About 46 Years Caste Mahara R/o Village Rajpur, P. S. Bhanpuri District Bastar (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of General Administration, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. High Level Caste Scrutiny Committee, Through Secretary, Adim Jati Anusandhan Evam Prashikshan Sansthan, Pandit Deen Dayal Upadhyay Nagar, Sector- IV, Raipur (Chhattisgarh)
3. The District Forest Officer, Forest Division Bastar Distt. Bastar (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Vikash A. Shrivastava, Advocate
For Respondent-State	:	Mr. Dilman Rati Minj, Dy. Govt. Advocate

Hon'ble Shri Manindra Mohan Shrivastava, J.**Order on Board****23/09/2016**

1. Heard.
2. The show cause notice issued by the respondents is under challenge on the ground that in the show cause notice, contents of the report of Deputy Superintendent of Police have been wrongly interpreted and construed.
3. Learned counsel for the petitioner submits that the Deputy Superintendent of Police has not stated that the petitioner obtained social status certificate

fraudulently, but in the show cause notice, used this kind of language shows that the respondents are prejudiced against the petitioner.

4. Learned State counsel submits that at present, only show cause notice is given to the petitioner affording fullest opportunity to file reply by supplying him details of inquiry report clearly stating that the petitioner may seek inquiry in the matter and submit document and witness in support of his case.

5. In the show cause notice dated 26/08/2016, the petitioner has been asked to submit his reply. The report of Vigilance Cell has also been supplied to the petitioner. The report of Deputy Superintendent of Police referred to in the first paragraph of show cause notice shows that the Committee has formed a *prima facie* opinion on the basis of material, however, this is not final.

6. It is clearly shown in the notice itself that reasonable opportunity has been given to the petitioner to file reply, seek personal hearing in the matter and also to adduce oral and documentary evidence. Therefore, it cannot be said that the respondents have already prejudged the issue.

7. In view of above, this petition is found to be premature, reserving the petitioner's right to file reply and adduce oral and documentary evidence in rebuttal, the petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge