

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1509 of 2017**

- Janardan Giri S/o Shri M. Giri, Aged About 56 Years Chief Attendant, District Jail Kabirdham (Chhattisgarh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Home, Mahanadi Bhawan, Mantralaya, Raipur (Chhattisgarh).
2. Jail Superintendent, Central Jail, Durg (Chhattisgarh).
3. Jail Superintendent,. District Jail Kabirdham (Chhattisgarh).
4. Vipin Khalkho, Jail Warder, Sub Jail (Now District Jail) Kabirdham (Chhattisgarh).
5. Assistant Jail Superintendent And Enquiry Officer, Sub Jail, Sanjari Balod, District Balod (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Varun Sharma, Advocate
For Respondents-State	:	Shri Satish Gupta, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

29/03/2017

1. Learned counsel for the petitioner would contend that for an incident dated 21.05.2015, separate departmental inquiries have been initiated against the petitioner and Shri Vipin Khalkho, Jail Warder, Sub-Jail (now District Jail) Kabirdham (C.G.). He would submit that under Rule 18 of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 (for short ' the Rules, 1966') when an enquiry pertains to one single incident, a joint enquiry should have been conducted, however, despite making application before the competent authority, no orders have been passed for holding a joint

enquiry.

2. Shri Satish Gupta, learned GA for the State would submit that Rule 18 has no application in the facts and circumstances of the case, therefore, there is no warrant for holding a joint enquiry against the petitioner and Shri Vipin Khalkho, Jail Warder, Sub-Jail (now District Jail) Kabirdham (C.G.).
3. Since petitioner's application requesting for joint enquiry under Rule 18 of the Rules, 1966 is pending consideration before the competent authority, the writ petition is disposed of with direction that the competent authority shall consider petitioner's application under Rule 18 of the Rules, 1966 and pass appropriate reasoned order at the earliest, preferably before proceeding further in the enquiry against the petitioner.

Sd/-

Judge
Prashant Kumar Mishra

Ashu