

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1564 of 2017**

- Smt. Sulochana Soni W/o Shri Rajesh Soni, Aged About 38 Years R/o Village Amora, Post Bijabhat, Police Station And District Bemetara (Chhattisgarh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Police Station New Raipur, Tahsil Raipur, Civil & Revenue District Raipur (Chhattisgarh).
2. Executive Director, State Health Resource Centre, Kalibadi, Raipur, District Raipur (Chhattisgarh).
3. District Coordinator, Mitandin Program, Bemetara, District Bemetara (Chhattisgarh).
4. Block Medical Officer, Primary Health Centre, Khandsara, Police Station Khandsara, Tahsil & District Bemetara (Chhattisgarh).
5. Chief Medical And Health Officer, Bemetara, District Bemetara (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Vaibhav A. Goverdhan, Advocate
For Respondents/State	:	Shri Satish Gupta, GA for the State.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****06/04/2017**

1. Learned counsel for the petitioner would submit that on similar allegation regarding commission of financial irregularity, the petitioner was removed from services on 27.09.2016, however, after some enquiry the petitioner was reinstated on 16.01.2017. By the present impugned order passed by the Executive Director, State Health Resources Centre (for short 'the Director'), the petitioner has again been removed from services without

issuing any show-cause notice or providing copy of the report/finding mentioned in the order.

2. It is argued that the impugned order has been passed in violation of the principles of natural justice.
3. Considering the entire facts situation of the case and balancing the twin factors i.e. the nature of allegations as well as adherence to the principles of natural justice, the writ petition is disposed of with direction that the Director shall provide copy of the enquiry report to the petitioner, obtain petitioner's reply or written submission on the said report and thereafter take final decision in the matter after providing personal hearing to the petitioner. The petitioner shall appear before the Director on 24th April, 2017 to obtain copy of the report. Any other material available with the department against her may also be provided to the petitioner and thereafter the petitioner shall file her reply/submission within a week. The Director shall then fix a date of personal hearing of the petitioner and pass final order in the matter within a period of six weeks from the date of submission of reply by the petitioner.
4. Till the above steps are taken by the Director, the post on which the petitioner was working shall be kept vacant.

Sd/-

Judge
Prashant Kumar Mishra

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