

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1875 of 2017

- Smt. Sohita Bajpayee W/o Pawan Chauhan, Aged About 42 Years, Occupation Patawari, R/o Dimarapur, Tahsil & District Raigarh (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Revenue Development Department, Mahanadi Bhawan, New Mantralaya, District Raipur (Chhattisgarh).
2. The Collector, Raigarh, District Raigarh (Chhattisgarh).
3. The Sub Divisional Officer, Raigarh, District Raigarh (Chhattisgarh).
4. The Tahsildar, Raigarh, District Raigarh (Chhattisgarh).

---- Respondents

For Petitioner	Shri V. R. Tiwari, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

20/04/2017

1. Referring to the circulars dated 16.04.1987 & 08.10.2009 (Annexure-P-6), learned counsel for the petitioner would submit that although the petitioner was suspended in October 2007, but the enquiry constituted against her is not yet complete.
2. A reading of Annexure-P-4 would indicate that the petitioner was suspended on 27.10.2007 and thereafter charge sheet was issued on 07.12.2007, but the petitioner did not reply and instead

moved an application for supply of documents. The Enquiry Officer instead of proceeding ahead with the enquiry waited for about 6 years to constitute the enquiry on 21.04.2013 vide Annexure-P-4 and thereafter the enquiry is not yet complete despite lapse of 7 years from the date of constitution of enquiry.

3. Considering the circulars dated 16.04.1987 & 08.10.2009, the writ petition is disposed of with direction to the Enquiry Officer to complete the enquiry against the petitioner in terms of the procedure prescribed in the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966, at the earliest, preferably within a period of 6 months from the date of submission of certified copy of this order before the Enquiry Officer.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala