

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 6063 OF 2016**

Moti Lal Sharma, aged about 58 years, S/o Shri Mahabir Prasad Sharma,
presently Town Inspector, Police Station Takhatpur, District Bilaspur (CG)

... **Petitioner**

versus

1. State of Chhattisgarh, through: the Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, New Raipur Tahdil & District Raipur (CG)
2. The Inspector General of Police, Bilaspur Range, Bilaspur (CG)
3. The Superintendent of Police, Bilaspur District, Bilaspur (CG)

... **Respondents**

WRIT PETITION (S) NO. 6065 OF 2016

Moti Lal Sharma, aged about 58 years, S/o Shri Mahabir Prasad Sharma,
presently Town Inspector, Police Station Takhatpur, District Bilaspur (CG)

... **Petitioner**

versus

1. State of Chhattisgarh, through: the Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, New Raipur Tahdil & District Raipur (CG)
2. The Inspector General of Police, Bilaspur Range, Bilaspur (CG)
3. The Superintendent of Police, Bilaspur District, Bilaspur (CG)

... **Respondents**

WRIT PETITION (S) NO. 6068 OF 2016

Moti Lal Sharma, aged about 58 years, S/o Shri Mahabir Prasad Sharma,
presently Town Inspector, Police Station Takhatpur, District Bilaspur (CG)

... **Petitioner**

versus

1. State of Chhattisgarh, through: the Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, New Raipur Tahdil & District Raipur (CG)
2. The Inspector General of Police, Bilaspur Range, Bilaspur (CG)
3. The Superintendent of Police, Bilaspur District, Bilaspur (CG)

... **Respondents**

For Petitioner	:	Mr. Ritesh Verma, Advocate.
For Respondent-State	:	Mr. Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/07/2018

1. Challenge in the present three writ petitions is to the charge-sheet issued on different dates to the Petitioner by the Inspector General of Police, Bilaspur Range, Bilaspur.
2. The Petitioner is an officer of the rank of Inspector and according the Police Regulations the charge-sheet only could have been issued by the Superintendent of Police alone and not by the Inspector General of Police.

3. The issue stands covered by a decision of this Court in the case of **Lallan Singh v. State of Chhattisgarh & Others**, W.P.S. No. 4209 of 2015, decided on **19.6.2018** and a couple of subsequent decisions decided by this Court.

4. In the light of the aforesaid judgment, this Court is of the opinion that, in case, if the disciplinary proceeding has not been concluded which has been initiated against the Petitioner then the present charge-sheet is also not sustainable and the same deserves to be and is accordingly set aside, reserving the right of the Respondents to proceed in accordance with law.

5. The three writ petitions accordingly are allowed.

Sd/-
(P. Sam Koshy)
Judge