

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7033 of 2017**

Gokul Sonkar S/o Shri Naresh Sonkar Aged About 46 Years Head Constable No. 16, Police Station Kunda, District Kabirdham, Chhattisgarh, At Present Posted At Police Station Rengakhar, District- Kabirdham, Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Department Of Home, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh., Chhattisgarh
2. Inspector General Of Police Range Durg, 32 Bungalow, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Superintendent Of Police Kabirdham, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh.
4. Enquiry Officer/ Additional Superintendent Of Police Kabirdham District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. F. S. Khare, Advocate.
For Respondent/ State	:	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/01/18**

1. The petitioner's application for change of enquiry officer has been rejected by the respondent No. 2 by a non-speaking and non-reasoned order dated 18.11.2017, being aggrieved against which this writ petition has been preferred by the petitioner.

2. Learned counsel appearing on behalf of petitioner would submit that the impugned order passed by respondent No. 2 is not a speaking order and no reasons have been assigned while rejecting petitioner's application,

therefore, the impugned order is liable to be set aside.

3. On the other hand, learned State counsel would support the order impugned.

4. I have heard learned counsel for the parties.

5. Be that as it may, since a non-speaking order has been passed and no reasons have been assigned while passing the impugned order, I am inclined to set aside the impugned order. The matter is remitted to the respondent No. 2 – Inspector General of Police, Durg who shall consider afresh on the petitioner's application and pass a reasoned and speaking order expeditiously preferably within a period of seven days from the date of receipt of copy of this order.

6. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge