

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3205 of 2018

Mukesh Kurrey S/o Shri Kunj Bihari Kurrey, aged about 41 years, By Occupation Veterinary Attendant R/o Plot No.498/2/4 Phase No.03, VIP Nagar, Risali, Bhilai Nagar, District Durg (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandry Dairing And Fisheries, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh.
2. Director, Directorate Of Veterinary Services, Indrawati Bhawan, Block-3, Ground Floor, Naya Raipur, District Raipur Chhattisgarh.
3. Chhattisgarh Board Of Secondary Education, Through Secretary, Pension Bada, Raipur, District Raipur Chhattisgarh.

---Respondents

For petitioner	:	Shri Anand Shukla, Advocate.
For respondents No.1 & 2	:	Shri Shashank Thakur, Gov.Advocate.
For respondent No.3	:	Shri Alok Bakshi, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/04/2018

1. The challenge in the present Writ Petition is to the show cause notice dated 27/02/2018.
2. Vide the said show cause notice, the respondent authorities had called for the explanation of the petitioner so far as his candidature for undergoing training of the Assistant Veterinary Field Officer which is a diploma course.
3. According to the counsel for the respondents, there is some discrepancy so far as the petitioner's qualification is concerned.
4. According to the counsel for the petitioner, the petitioner has obtained the minimum required qualification much prior to the order dated 25/09/2009

wherein the respondent No.3 had canceled the recognition of the High School Examination being conducted.

5. Perusal of record would reveal that the petitioner has already filed a reply (Annexure – P/8) to the said show cause notice.

6. Given the fact that the Writ Petition has been filed challenging the show cause notice, it is settled position of law that the Writ Courts are not supposed to as a matter of routine interfere at a show cause stage.

7. Accordingly, the Writ Petition is disposed off with a direction that the respondents shall consider the reply of the petitioner against the show cause notice so submitted. The petitioner would also be at liberty to file a supplementary reply if required within a period of 2 weeks' from today and thereafter the respondent authorities are expected to objectively consider the contention of the petitioner which he has raised in the reply to the show cause notice. If require, the petitioner be also given an opportunity of hearing before any final decision is taken on the show cause notice.

8. The counsel for the petitioner submits that till now, no final decision have been taken on the show cause notice.

9. Given the fact, let the final decision be taken only after complying with the observations made by this Court in preceding paragraphs.

10. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE