

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3540 of 2018

Jaishri Kesharwani D/o Shri Deenbandhu Kesharwani, aged about 44 years, Occupation Government Service, R/o Dhagardeepa, Raigarh, District Raigarh (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Revenue Department, Mahanadi Bhawan, New Mantralaya, District Raipur (C.G.).
2. The Collector (Land Record) Raigarh, District Raigarh (C.G.).
3. The Sub Divisional Officer (Revenue), Raigarh, District Raigarh (C.G.).

---Respondents

For petitioner	:	Shri Vineet Kumar Pandey, Advocate.
For State	:	Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/05/2018

1. The challenge in the present Writ Petition is to the initiation of the departmental enquiry against the petitioner.
2. The foremost ground raised by the counsel for the petitioner was that, the same has been initiated by an incompetent officer.
3. However, the State counsel submits that the provision of the Chhattisgarh Bhu-Abhilekh Niyamawali - Chapter-1 - Rule 10 envisages that, a departmental enquiry could be initiated by a person of the rank of Sub-Divisional Officer (Revenue).
4. Thus, the said ground of the petitioner is not sustainable.

5. The next ground raised by the counsel for the petitioner is that, there is a considerable delay in the conclusion of the departmental enquiry and it has been more than 2 years from the issuance of the chargesheet.
6. However, perusal of record would show that the chargesheet has been served upon the petitioner only recently i.e. in the year 2018.
7. Given the nature of allegation levelled against the petitioner, this Court is of the opinion that ends of justice would meet if the Writ Petition is disposed off with a direction to the respondents to ensure that the departmental enquiry initiated against the petitioner is concluded at the earliest.
8. Taking into consideration the facts and circumstances of the case and also considering the nature of misconduct it is expected that the authorities concerned would conclude the enquiry within a period of 4 months from today.
9. Let the copy of this order be brought to the notice of the authorities by the petitioner so that prompt action can be taken.
10. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE