

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7987 of 2018

Yashwant Dewangan S/o. Shri A.R. Dewangan, Aged About 55 Years,
R/o Neeraj Kunj, Ramji Yadav Gali, Katulbod, Durg, Police Station
Mohan Nagar, Tahsil And District Durg, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Home/ Police Secretariat, Mahanadi Bhawan, P.S. And Post Rakhi, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Director General Of Police (Dgp), Police Headquarter, Near Mahanadi Bhawan, P.S. And Post Rakhi, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
3. Inspector General Of Police (Igp), Office Of Inspector General Of Police, 32 Bungalow, Bhilai, District Durg, Chhattisgarh.
4. Superintendent Of Police (S.P.), Office Of Superintendent Of Police, Durg, District Durg, Chhattisgarh.
5. Deputy Superintendent Of Police (D.S.P.), Ajak/enquiry Officer, Office Of Deputy Superintendent Of Police, Ajak, Durg, District Durg, Chhattisgarh.

---Respondents

For petitioner	:	Shri Abhishek Pandey and Shri Santosh Pandey, Advocates.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/12/2018

1. The challenge in the present Writ Petition is to the disciplinary proceedings initiated against the petitioner.
2. Perusal of record would show that, the petitioner was served with a chargesheet on 08/03/2018 i.e. almost about 7 months ago.

3. The petitioner kept on making correspondences with the respondents continuously by raising various objections.
4. These objections were dis-allowed or rejected or not considered by the authorities and they proceeded with the departmental enquiry.
5. Now the enquiry has reached the fag end stage in as much as the enquiry report has also been submitted by the enquiry officer to the disciplinary authority.
6. Given the aforesaid factual matrix of the case, this Court in exercise of its powers under Article 226 of the Constitution of India would find it difficult to interfere with the proceedings at this fag end stage of disciplinary proceedings.
7. Reserving the right of the petitioner to challenge the decision of the disciplinary authority where these ground would be open for the petitioner to raise, the instant Writ Petition at this juncture is held to be unsustainable/pre-mature.
8. Needless to mention that, the delinquent would have all the right to take all these objections before the disciplinary authority before any punishment orders are passed if any and which the disciplinary authority shall keep in mind while passing an order.
9. The Writ Petition accordingly stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE