

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1642 of 2011**

Jitendra Kumar Sonkeshary, S/o. Late Panna Lal Sonkeshary, Aged about 37 years, Platoon Commander 10th Battalion Chhattisgarh Arms Force Sarguja, District Sarguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through its Principal Secretary, Department of Home (Police), D.K.S. Bhawan, Raipur, District Raipur, Chhattisgarh
2. Deputy Inspector General of Police, Chhattisgarh Arms Force, North Zone, Bilaspur,
3. Superintendent of Police/Enquiry Officer, District Kabirdham, Chhattisgarh
4. Caste Scrutiny Committee, Ravishanker University Campus, Raipur, District Raipur Chhattisgarh

---- Respondent

For Petitioner	:	Mr. Ashok Patil, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/11/2019**

1. The challenge in the present writ petition was the initiation of the disciplinary proceedings against the petitioner by the respondents on the basis of an alleged false caste certificate that he had.
2. This Court while entertaining the writ petition had granted an interim protection against the departmental enquiry vide order dated 28.03.2011. The respondents thereafter have filed their reply and in their reply they have categorically held that the initiation of the disciplinary proceedings was bad in law as the matter had to be inquired at the High Powered Caste Scrutiny Committee level and not at the departmental level and they had declared the disciplinary proceedings to be null and void and awaited the report of the High Powered Caste Scrutiny Committee for further action.

3. In view of the reply submitted by the respondents and the Annexure R/1 that has been enclosed along with the reply, this Court is of the opinion that since the respondents themselves have dropped the disciplinary proceedings initiated against the petitioner, no further grievance of the petitioner survives in the present writ petition. If at all if the petitioner is aggrieved of any subsequent development or subsequent order passed by the authorities concerned, he would be at liberty to challenge the same.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved