

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1399 of 2019**

Lalatin Bandhe W/o Manglu Bandhe Aged About 70 Years R/o Village Jhonka, Latuwa, Balodabazar, Distict- Balodabazar-Bhatapara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Social Welfare, Mantralaya, New Raipur, Chhattisgarh.
2. Joint Director Panchayat Department, New Raipur, Chhattisgarh.
3. Collector Baloda Bazar, District- Balodabazar-Bhatapara, Chhattisgarh.
4. Chief Executive Officer Zila Panchayat Balodabazar, District- Balodabazar-Bhatapara, Chhattisgarh.
5. Sarpanch Gram Panchayat Dabadih, District- Balodabazar-Bhatapara, Chhattisgarh.,
6. Roopchand Bose S/o Purshottam Bose R/o Indira Colony, Near Jaistambh Chowk, Balodabazar, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Bharat Lal Dembra, Advocate
For Respondent/State	:	Shri Anmol Sharma, P. L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****12/04/2019**

1. Heard
2. In this writ petition, the petitioner has sought the following relief's:-

10.1 The Hon'ble Court may kindly be pleased to issue direction directing the respondents to conduct an enquiry against the respondent No.6 as per allegations/reasons in light of suspension order dated 26.12.2018. (Annexure P/2)

10.2 That, the Hon'ble Court further may be pleased to direct the authorities till conclusion of the enquiry the respondent No.6 may not be allowed to work as Secretary Gram Panchayat Dabadih, in the interest of justice.

10.3 Any other relief which this Hon'ble Court may deems fit and proper looking to the facts and circumstances of the case may also be awarded to the petitioner including the cost and expenses of this petition. An affidavit in support of this petition is filed herewith.

3. Learned counsel for the petitioner submits that the respondent No.6 had demanded certain money for which complaint was made and she was suspended on 26/12/2018. However subsequently again within 5 days she (respondent No.6) was reinstated on 01/01/2019. It is stated that the earlier direction was made by the respondent authority that an enquiry be conducted however, within a short period of time everything was sidelined, therefore the direction may be issued to conduct the enquiry as earlier was ordered for.
4. Perused the records. After perusal of the records it shows that after the suspension was made, respondent No.6 was reinstated by the C.E.O. The matter inter-se touches upon the management of the office. Therefore, the High Court in exercise of Article 226 of Constitution of India will not give a direction to

take over the power of the officials and manage the office affairs and if the petitioner is so aggrieved and any criminal act is done or cognizable offence is made out, he would be free to take necessary action as available to him under the law.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.
6. With the above observation, this writ petition stands finally disposed of.

Sd/-
Goutam Bhaduri
Judge

Jyoti