

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS NO. 7669 OF 2019**

Khagesh Kumar Yadav S/o Ramlal Yadav Aged About 24 Years Post As
Gram Rozgar Sahayak, R/o Village- Boirgaon, P.O.- Darripara, District-
Gariyaband Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, P.O. And P.S.- Rakhi, District- Raipur Chhattisgarh
2. Chief Executive Officer(C.E.O.) (Mgnrega) Janpad Panchayat, Gariyaband, District- Gariyaband Chhattisgarh
3. Gram Panchyat Darripara through its Secretary Gram Panchayat Darripara Tahsil And District- Gariyaband Chhattisgarh

... **Respondents**

For Petitioner	: Mr. Anish Tiwari, Advocate.
For State	: Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24/09/2019**

1. The challenge in the present writ petition is to the order (Annexure P-1) 30.08.2019, the impugned order is only a show-cause notice seeking for explanation from the petitioner so far as his appointment is concerned. It is expressed in the show-cause notice that perhaps appointment of the petitioner was not proper or not in accordance with the Rules and Regulations and the petitioner has been called upon to give his explanation on the said appointment and the nature of appointment.
2. So far as the law in respect of show-cause notice is concerned, it is well settled that the High Court under Article 226 would not substitute itself as a fact finding Agency or an Authority which would itself conduct a roving enquiry into the allegations. Since, petitioner has been called upon to give his explanation, it is expected that petitioner

would give his detailed explanation to the show-cause notice and the authorities concerned are expected to consider the contention of the petitioner that the petitioner would raise in his explanation and thereafter, if required proceed further in accordance with law.

3. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha