

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 9766 of 2019**

- Smt. Jeeteshwari Sonwani C/o Sanjay Sonwani Aged About 39 Years, JR MIG 106 Housing Board Colony, Paraskol Road Machewa, Mahasamund, Assistant District Public Prosecutor, Mahasamund, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Under Secretary, Home Ministry, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Director Of Public Prosecution, Head Of Department Through Director, Office Address Third Block, 4th Floor, Indravati Bhavan, Nava Raipur, District Raipur, Chhattisgarh.
3. Deputy Director/ Investigation Officer G.R.P. Raipur, Chhattisgarh.
4. Director General Of Police Raipur, District Raipur, Chhattisgarh.
5. Collector Mahasamund, District Raipur, Chhattisgarh.

---- Respondents

For Petitioners : Shri Devershi Thakur, Advocate

For Respondent/ State : Shri Kapil Maini, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****27.11.2019**

1. Heard.
2. The challenge is to the order dated 19.08.2019 (Annexure P-1) on a allegation that the petitioner has accepted a bribe of Rs. 1,00,000/- to discharge a accused from a case. The departmental enquiry has been started against the petitioner. It is contended that in the departmental enquiry a reply has been given which is not been considered. Against such non consideration of reply appeal was preferred but by order dated 19.08.2019 it is dismissed with a finding that right to file an appeal would be there after the finding of the departmental enquiry is arrived at. Admittedly, it appears from submission that the departmental enquiry is on its way and since the departmental enquiry is being conducted under

the C. G. Civil Service Rules, 1966 at this stage the issue cannot be hijacked by this High Court to give a finding. Prima facie, it appears that no finding yet has been arrived in the departmental enquiry therefore any issue to adjudicate do not has arise at all. Consequently, I do not find any illegality in the order dated 19.08.2019 which warrant interference in exercise of Article 226 of Constitution of India.

3. Accordingly, the petition stands dismissed.

Sd/-
(Goutam Bhaduri)
Judge