

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2291 of 2020**

- A.K. Garhewal S/o Late Shri Agar Sai, Aged About 58 Years Working As Deputy Commissioner, Office Of The Commissioner, Department Of Tribal And Scheduled Cast, Indrawati Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal And Scheduled Cast, Mahanadi Bhawan, Mantralaya, Naya Raipur Atal Nagar, District Raipur Chhattisgarh.
2. Public Service Commission Through Its Secretary, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
3. The Commissioner, Department Of Tribal And Scheduled Caste, Indrawati Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh
4. B.L. Mishra, Working As Additional Commissioner Department Of Tribal And Scheduled Cast, Indrawati Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vikas Dubey, Advocate
For State	:	Ms. Akanksha Jain, Dy. Govt. Advocate
For Respondent No. 2	:	Mr. Sudeep Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****19.06.2020**

1. Heard.
2. Learned counsel for the petitioner would submit that a departmental enquiry was commenced against the petitioner in the year 2011 and the Enquiry Officer submitted its report in the year 2018. Thereafter,

DPC was held on 29.05.2020 and since the departmental enquiry was not concluded against the petitioner therefore the recommendation of the petitioner for promotion was kept in a seal cover. He would further submit that the Secretary, Department of Tribal and Scheduled Cast (Respondent No. 1) may be directed to conclude the departmental enquiry proceeding against the petitioner within a stipulated time so that the DPC recommendation which is kept in the seal over may be opened and petitioner case for promotion may be considered.

3. Learned counsel for Respondent No. 2 would submit that DPC has been held on 29.05.2020 and the recommendation of the petitioner is kept in the seal cover.
4. Perused the documents.
5. Perusal of the documents would show that the Enquiry Officer has already gave its finding on 19.11.2018. In view of the background of the fact, Respondent No. 1 is directed to conclude the departmental enquiry against the petitioner within a further period of 4 months from the date of receipt of a copy of this order. Thereafter, the consequence of the finding may follow in subsequent departmental proceeding.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge