

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2643 of 2020**

- Basant Kumar Sahu S/o Shri Arjun Lal Sahu, Aged About 50 Years R/o Village Mulmula, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Director, Health Services, Indravati Bhawan, 3rd Floor, New Raipur Chhattisgarh
3. The Collector, Janjgir Champa Chhattisgarh.
4. Chief Medical And Health Officer, Janjgir Champa Chhattisgarh.
5. Block Medical Officer, Community Health Centre, Pamgarh, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner : Shri B.L. Dembra, Advocate

For State : Shri Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****18.11.2020**

Heard

1. The grievance of the petitioner is that the petitioner has made a complaint against Mrs. Sunita Thakur, Mrs Yashoda Sharma and Mrs Vimla Vishwakarma who are working as ANM on the basis of forged mark sheet and an enquiry be made on such complaint.
2. At the outset, it appears that the petition is misconceived, as no pleading is on record to demonstrate that what fundamental right of the petitioner is defeated. It also do not appear that against whom the complaint has been made that they are wrongly been appointed and the petitioner would be entitled to occupy the said posts if they are removed. The nature of

complaint is about the forged mark sheet, therefore this court in exercise of power under Article 226 of the Constitution of India would not make a roving enquiry. Any order of like nature for an enquiry would amount to existence of prima facie facts as complained. Therefore, the order of High Court can not be used as a tool to redress the personal grievance of the petitioner. If the petitioner is so aggrieved he may avail the remedy available to him under the general law.

3. Accordingly, the petition is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti