

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4783 of 2020**

1. Sudeep Shrivastava, S/o Shri M K Shrivastava, Aged About 40 Years R/o B-19, Vashundhara Vihar, Ambikapur, District Surguja Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, (Through Secretary, Higher Education Department) Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. State Of Chhattisgarh, (Through Secretary, Technical Education Department) Mahanadi Bhavan, Mantralaya, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
3. Chhattisgarh Swami Vivekanand Technical University (Through Registrar) Newai, Post Office Newai, Bhilai, District Durg, Chhattisgarh
4. Sant Gahira Guru Vishwavidyalaya (Through Registrar) Surguja, Ambikapur, Chhattisgarh.
5. Dr R N Khare, Principal, Vishwavidyalaya Engineering College, Lakhanpur, Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	: Shri Kishore Bhaduri, along with Shri Sabyasachi Bhaduri, respective Advocates.
For State	: Shri Rahul Jha, G.A.
For respondent No. 3	: Shri K.R. Nair, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01.12.2020**

1. Counsel for the petitioner at the out-set restricts his contention in the present writ petition so far as the disciplinary proceedings which has been initiated against him.
2. During the course of hearing, learned counsel for the respondent No. 3-University submits that he has instruction to state that the enquiry conducted against the petitioner has already been concluded and it has been kept for the submission of the enquiry report by the Enquiry

Officer.

3. According to the Counsel for the respondent-University, the Enquiry Officer as also the Disciplinary Authority had repeatedly served notices upon the petitioner from the charge-sheet's stage but since there was no response in spite of proper services of charge-sheets and notice of the enquiry the Enquiry Officer has proceeded ex-parte and has concluded the enquiry proceedings.
4. Given the fact that as per the statement made by the learned counsel for the Respondent-University, the enquiry proceedings having already been concluded and awaiting enquiry report, this Court finds it difficult to exercise its writ jurisdiction at this stage of the disciplinary proceedings, the writ petition accordingly stands disposed of.
5. However, the liberty would always be there for the petitioner to approach this Court in case if the final out-come of the disciplinary proceedings goes against the petitioner.
6. Meanwhile, the University-authorities are also expected to ensure that the enquiry report to be submitted by the Enquiry Officer shall be duly served upon the petitioner calling upon his explanation and a reasonable hearing is given to the petitioner before a final decision is taken.
7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge