

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 501 of 2021**

Siyaram Saiyyam S/o Late Rajaram Saiyyam Aged About 38 Years R/o Village Baijalpur, P.S. Bodla, Dist.- Kabirdham, Chhattisgarh (In Jail) Through His Mother In Law Smt. Fulkan Wd/o Late Rameshwar Das Mahant, Aged About 55 Years, R/o Ward No. 6, Adarsh Nagar, Kawardha, Dist.- Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Principal Secretary, Home Department, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh
2. The Superintendent Of Police Kabirdham, District- Kabirdham, Chhattisgarh.
3. The Sub-Divisional Officer Police Pandariya, District - Kabirdham, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/02/2021**

1. The limited grievance that the petitioner has made in the present writ petition is for an appropriate direction to the respondent No.2 to consider the claim of the petitioner for staying the departmental enquiry initiated against the petitioner, till the final decision in the criminal case that has been initiated against the petitioner is concluded.
2. According to the petitioner, he has been issued with a charge-sheet on 03.10.2020 in respect of certain allegations for which the petitioner has already been implicated in a criminal case and where the petitioner is facing the trial for the offence punishable under

Section 365, 302, 201, 120-B and 34 of Indian Penal Code in Crime No. 11/2019 registered at Police Station Khamariya, Police Station Bemetara. According to the petitioner, he has moved an application taking note of the fact that most of the witnesses in the departmental enquiry cited along with the charge-sheet are the same witnesses who are also witnesses in the criminal case pending against the petitioner.

3. The limited relief sought for by the petitioner is not opposed by the State counsel.
4. Accordingly, the writ petition at this juncture stands disposed of directing the respondent No.2 to take an appropriate decision on the request/claim of the petitioner for staying the departmental enquiry till the conclusion of the trial against the petitioner before the Criminal Court. Let an appropriate decision be taken by the authorities concerned at the earliest preferably within a period of 30 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved