

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 710 of 2021**

Gajendra Kumar Sharma S/o Late Rajendra Prasad Sharma, Aged About 33 Years, Posted As Assistant Grade- III, At Office Of District Institute Of Education And Training Centre (DIET) Janjgir, District Janjgir Champa, Chhattisgarh

---- Petitioner

**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, P.S. Rakhi, District Raipur Chhattisgarh
2. The Secretary, Department Of Home, Government Of Chhattisgarh, District Raipur (Chhattisgarh)
3. Collector, District Janjgir Champa, Chhattisgarh
4. The District Education Officer, Janjgir, District Janjgir Champa Chhattisgarh
5. The Principal, District Institute Of Education And Training Centre (DIET) Janjgir, District Janjgir Champa, Chhattisgarh

---- Respondents

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| For Petitioner | : | Mr. Jeet Patel, Advocate |
| For State      | : | Mr. Amit Buxy, P.L.      |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****18.02.2021**

1. The present writ petition is questioning the show cause notice dated 18.01.2021 issued by the District Education Officer, District Janjgir-Champa in respect of certain alleged complaint lodged by the wife of

the petitioner.

2. Considering the fact that it is only a show cause notice which is under challenge in the present writ petition, this Court is of the firm view that it is not a case where this Court would exercise its extraordinary power under Article 226 of the Constitution of India by way of judicial review testing the action of, the issuance of show cause notice. Show cause is not an order of punishment or a cause of action. It is only an administrative action on the part of the respondents calling upon an explanation from the employee concerned and further course of action would all depend upon the reply that the petitioner would supply. In the event the petitioner gives a satisfactory reply, the possibility of dropping of the further proceedings cannot be ruled out.
3. In view of the same, this Court is of the opinion that no strong case calling for an interference with the impugned show cause notice at this stage is made out. The petitioner is directed to submit a reply to the show cause notice to the authority concerned at the earliest preferably within a period of 10 days from the date of receipt of copy of this order and on the said reply being filed, the District Education Officer, District Janjgir-Champa is expected to consider the contents of the reply on its own merits and take an appropriate decision before proceeding further.
4. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-**  
**P. Sam Koshy**  
**Judge**