

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 874 of 2021

1. Vinit Kumar Soni S/o Shri Amar Lal Soni, Aged About 54 Years Working As Clerk of Court/ Administrative Officer, District Court, Durg, Presently Posted At Family Court Dhamtari, District Dhamtari (Chhattisgarh).

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Principal Secretary, Law Department Mahanadi Bhavan, Mantralaya Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh).
2. District and Session Judge, Durg, District Durg (Chhattisgarh).
3. High Court of Chhattisgarh Through Registrar General, Bodri, Bilaspur (Chhattisgarh).
4. Secretary, Mahila Ayog, Chhattisgarh State, Raipur, District Raipur Chhattisgarh
5. Smt. Arti Shukla W/o Shri Pradeep Shukla, Ex-A.G.-III, District Court, Durg, District Durg (Chhattisgarh) R/o MIG-548, Padmanabhpur, Durg, District Durg Chhattisgarh.
6. Chairman, Internal Complaint Committee Under The Sexual Harassment Of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013 District Court Durg, District Durg Chhattisgarh.

---Respondents

For Petitioner	:	Shri T.K. Jha, Advocate.
For Respondent State	:	Shri Rahul Jha, Govt. Advocate.
For Respondents 2&3	:	Shri Manoj Paranjpe, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.03.2021

1. The grievance of the petitioner in this petition is the initiation of enquiry by the internal complaint committee constituted by the respondent No.2.
2. The primary contention of the petitioner is that Annexure P/3 which is a original complaint filed by the respondent No.5 does not disclose any act of sexual harassment made by the petitioner and since there is no iota of evidence in the complaint so far as sexual harassment is concerned, the constitution of internal committee is totally uncalled for.
3. Perusal of record would show that there appears to have been a complaint lodged by the respondent No.5 before the respondent No.2 as also before

the Chhattisgarh Mahila Ayog and also before the High Court. Meanwhile the High Court as also the other forums had already called for an explanation and report from the concerned officer as also from the concerned District Judge. Meanwhile, the Chhattisgarh Mahila Ayog has taken cognizance of the complaint that they had received and has directed the respondent No.2 to get the matter enquired by an internal committee. The respondent No.2 immediately constituted an internal committee consisting of senior Judicial Officers posted in the District.

4. Perusal of record would also show that the committee has already granted final opportunity for the complainant to make her statement before the internal committee and thereafter an appropriate report would be submitted by the internal committee.
5. Given the facts that the internal committee has already seized of the matter and have called upon the complainant to substantiate her contention by giving statement before the internal committee, this court would not like to interfere with the proceedings that has been drawn, however, this court would expect that the internal committee would consider the complaint and shall submit a report as expeditiously as possible so that appropriate action can be taken, if necessary.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge