

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1829 of 2021**

Chaitanya Sahu S/o Budhani Sahu, Aged About 46 Years, Working As Teacher (L.B.), Govt. Middle School, Pusera, Block Pandariya, District Kabirdham, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Director, Public Instructions, Directorate, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. Collector, Kabirdham, District Kabirdham, Chhattisgarh
4. Joint Director, Public Instructions, Education Division Durg, District Durg, Chhattisgarh
5. District Education Officer, Kabirdham, District Kabirdham, Chhattisgarh
6. District Education Officer, Balod, District Balod, Chhattisgarh
7. Block Education Officer, Pandariya, District Kabirdham, Chhattisgarh
8. Assistant Block Education Officer, Pandariya, District Kabirdham (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Ms. Hamida Siddiqui, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.04.2021**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 18.02.2021 and 17.02.2021. Vide the said two documents the petitioner has been called upon to appear before the Inquiry Committee in respect of his credentials on the basis of which he had obtained employment under the respondents.

2. The ground of challenge primarily seems to be the previous inquiry which was done in the past by the authorities and the petitioner therefore should not be subjected to repeated inquiry.
3. Perusal of the record would show that there seems to be some preliminary inquiry done in the past by the Janpad Panchayat and the Block Education Officer, Pandariya and the present notice has been issued by the District Education Officer, Kabirdham i.e. the authority under whom the petitioner is presently working.
4. Given the fact that the initiation of inquiry is on the basis of a complaint which has been received by the authorities in respect of the petitioner having obtained employment on the basis of some fake and fraudulent documents and records, the authorities have called upon the petitioner to establish his credentials in respect of the documents that he has filed at the time of seeking employment.
5. Considering the nature of dispute this Court at this juncture would not substitute itself as a fact finding agency or an appellate authority over the administrative decision to hold an inquiry by the authorities. The petitioner is directed to submit a detailed reply supported with all relevant cogent documents in respect of his contention and the authorities thereafter particularly the Inquiry Committee is expected to provide a fair and reasonable opportunity of hearing to the petitioner to substantiate his defence and thereafter if required may take appropriate proceedings/decision in accordance with law.
6. With the aforesaid observation, the writ petition stands disposed of.

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