

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3779 of 2021

1. M. R. Sahu S/o Shri Maya Ram Sahu Aged About 50 Years Presently Posted As Assistant Conservator Of Forest, Office Of Forest Division Janjgir - Champa, Chhattisgarh. R/o Range Office Forest Colony Kutchery Chowk, Sakti, Tehsil - Sakti, District Janjgir - Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Forest And Climate Change Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Principle Chief Conservator And Forest Arany Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
3. Chief Conservator Of Forest (Vigilant / Complaint) Arany Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
4. Chief Conservator Of Forest Bilaspur, District Bilaspur, Chhattisgarh.
5. Divisional Forest Officer Janjgir Champa Division, District Janjgir-Champa, Chhattisgarh.
6. Smt. Premlata Yadav (Indian Forest Service) Divisional Forest Office, District Janjgir - Champa, Chhattisgarh.
7. Shri Sanchit Sharma (Sfs) Sub-Divisional Forest Office, District Janjgir Champa, Chhattisgarh.

----Respondents

For Petitioners	: Ms. Diksha Gouraha, Advocate.
For State	: Shri Amrito Das, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/07/2021

1. The challenge in the present writ petition is to the impugned notices Annexure P/1 dated 26.03.2021, Annexure P/2 dated 19.02.2021 & Annexure P/3 dated 28.12.2020. Annexure P/1 And Annexure P/2 are two show-cause notices issued by the Chief Conservator of Forest to the petitioner and Annexure P/3 which is a correspondence made by the Chief Conservator of Forest to the Divisional Forest Officer, District Janjgir Champa.

2. So far as Annexure P/1 and Annexure P/2 are concerned this Court is of the firm view that since two impugned orders are show-cause notices which have been issued to the petitioner, this Court in the light of the settled legal position that the High Court under Article 226 should not interfere with the proceedings drawn at the show-cause notice stage, would not like to interfere with the same.
3. Since it is only a show-cause notice stage, the petitioner has all liberty to file a detailed explanation/reply to the show-cause notices and the explanation letter issued to the petitioner, subject to the petitioner furnishing satisfactory reply to the same. The authorities concerned are expected to take a decision purely in accordance with the merits of the case on due scrutiny of the reply & explanation that the petitioner shall be making. It is said that the Petitioner has already submitted his reply. In view of the same, this Court at this juncture would not interfere with the impugned notices Annexure P/1 & Annexure P/2.
4. So far as Annexure P/3 is concerned there does not seem to be any further action or an order initiated by the respondents solely based on Annexure P/3, which has been passed based upon an alleged complaint made by the petitioner against the concerned DFO District Janjgir Champa i.e. the respondent No. 5.
5. Given the fact that there is no further development based upon the correspondence Annexure P/3, this Court at this juncture would not like to interfere with the same also. That it is left open for the petitioner to challenge the same in case if the respondent No. 5 for

that matter any other respondents initiate any proceedings against the petitioner in-respect of the alleged complaint that the petitioner has made against the respondent No. 5 or in-respect- of the alleged complaint that the petitioner has submitted to the Higher Authorities in this regard.

6. Reserving the right of the petitioner for challenging the same in an appropriate proceedings, the present writ petition as of now stands disposed off.

Sd/-
(P. Sam Koshy)
Judge