

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4613 of 2021

Rajkumar Naidu, S/o Shri K.S. Naidu, Aged About 63 Years R/o Flat No. A 601, Avenue - 144, Near Medishine Hospital, New Rajendra Nagar, Amlidih, Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Cooperatives, Mahanadi Bhawan, Naya Raipur, Police Station Rakhi Civil And Revenue District Raipur Chhattisgarh
2. Registrar, Cooperative Societies, Vivekanand Complex, Shailendra Nagar, Police Station Civil Lines, Civil And Revenue District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ali Asgar, Advocate.
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

02/09/2021

1. The limited relief that petitioner prays for in the present writ petition is for appropriate direction to the respondent to conclude the department enquiry that petitioner has been facing since 2009 onwards.
2. The facts of the case is that the petitioner was working a Co-operative Inspector under the respondents and he stood retired from service in the year 2017 and it is by now more than four years that petitioner stands retired.
3. The grievance of the petitioner is that while he was in service, the respondent authorities had decided to initiate disciplinary proceedings against the petitioner as early as in 2009 which till date is pending finalization before the authorities.

4. Learned counsel for the petitioner submits that even before initiation of the disciplinary proceedings in 2009, he was subjected to enquiry where the enquiry was conducted by two IAS Officers in the past and there are specific findings given by those Officers that petitioner is not guilty of having committed any misconduct. Even though, these findings are there, the department still thought it good for going further with the disciplinary proceedings.
5. Today, learned counsel for the petitioner submits that firstly in the case of petitioner, the departmental enquiry is pending from 2009 onwards that is well over 12 years now and secondly for the reason that petitioner is a retired employee and he stands retired for 4 years now. The departmental enquiry should be taken to its logical conclusion at the earliest and he makes a prayer in this regard.
6. Learned counsel for the respondent State submits that the matter can be disposed of with a direction to the respondent for taking necessary steps for concluding the departmental enquiry at the earliest.
7. In the light of the submissions made by the counsel for the parties, particularly taking note of the fact that petitioner stands retired from service about four years back and departmental enquiry is pending against him for over 12 years now. It is high time that departmental enquiry was pending be concluded at the earliest.
8. The writ petition at this juncture accordingly stands disposed of directing the respondent no.2 to ensure that departmental enquiry pending against the petitioner stands concluded at the earliest preferably within a period of three months time. The respondent authorities should ensure that if they intend to proceed with the departmental enquiry they should conduct an enquiry on day to day basis for early conclusion of the same. The

petitioner also at this juncture is directed to ensure that all co-operation is rendered from his side for early conclusion of the departmental enquiry.

9. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit