

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 3866 of 2021**

Dhananjay Dewangan S/o Late Shri M.C. Dewangan Aged About 58 Years Occupation Service, Presently Posted As Secretary, Higher Education Department, State of Chhattisgarh, Raipur Chhattisgarh, R/o D -217, Sector - 17, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh.  
**--- Petitioner**

**Versus**

1. Union of India Through Secretary, Ministry Of Tribal Affairs, Shastri Bhawan Dr. Rajendra Prasad Road New Delhi, 110011 New Delhi., District : New Delhi, Delhi
2. National Commission for Schedule Tribes 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi Through Secretary, National Commission For Schedule Tribes, 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi., District : New Delhi, Delhi
3. Director National Commission For Schedule Tribes, 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi., District : New Delhi, Delhi  
**--- Respondents**

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| For the Petitioner  | : Mr. Rajeev Shrivastava, Sr. Advocate with Mr. Saurabh Sahu, Advocate. |
| For Respondent No.1 | : Mr. Ramakant Mishra, Asst. Solicitor General                          |

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**Hon'ble Shri Justice Goutam Bhaduri****Order on Board****07.10.2021**

1. The instant petition is filed against the summons Annexure P-2 dated 10.08.2021 whereby respondent no.2 the National Commission for Scheduled Tribes has directed the petitioner to attend personally at New Delhi on a representation of one Dr. Ashutosh Mandavi.
2. Learned counsel for the petitioner would submit that the petitioner is ready and willing to assist the National Commission for Scheduled Tribes, however, his personal appearance may be exempted and he may be allowed to represent through any of his authorized representative. He placed reliance on a judgment of Supreme Court

rendered in Civil Appeal No.2320 of 2021 (The State of Uttar Pradesh Versus Dr. Manoj Kumar Sharma) decided on 9th July, 2021 and would submit that casually the officer cannot be asked to appear in person unless there exists specific requirements,

3. On perusal of the said judgment, it is observed that the petitioner may enter his appearance through any of his representative before the National Commission for Scheduled Tribes on the next date of hearing and his personal appearance may not be sought for. However, it is also expected that the petitioner shall extend due cooperation and shall make available the necessary documents, if so required. With such observations, this writ petition stands disposed off.

**Sd/-  
GOUTAM BHADURI  
JUDGE**