

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5009 of 2021**

1. Omprakash Mishra S/o Late R.L. Mishra Aged About 55 Years R/o Quarter-29/B Mannam Nagar, Dhanora P.O. Hanoda Tehsil District- Durg, (C.G.), District : Durg, Chhattisgarh

---- **Petitioner****Versus**

1. The State Of Chhattisgarh Through The Director, Directorate Of Technical Education, Chhattisgarh Indrawati Bhavan, Block- 3, 3rd And 4th Floor Naya Raipur- 492002, District : Raipur, Chhattisgarh
2. Chhattisgarh Swami Vivekanand Technical University Newai, P.O. Newai, Bhilai District Durg Chhattisgarh, Through The Vice Chancellor., District : Durg, Chhattisgarh
3. The Registrar Chhattisgarh Swami Vivekanand Technical University, Newai, P.O. Newai, Bhilai District Durg Chhattisgarh, District : Durg, Chhattisgarh
4. The president, Internal Complaint Committee, Chhattisgarh Swami Vivekanand Technical University, Newai, P.O. Newai, Bhilai District Durg Chhattisgarh.

---- **Respondents**


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| For Petitioner | : | Mr. Ashwin Panickar, Advocate. |
| For State      | : | Mr. Ishan Verma, P.L.          |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****20.09.2021**

1. The relief sought by the petitioner in the present writ petition is for an appropriate direction to the respondents to take an appropriate decision on the anonymous complaint received by the respondent-department on the basis of which the respondents have placed the case of the petitioner before an Internal Committee established under the Sexual

Harassment of Women at Workplace (Prevention, Prohibition and Redressal ) Act 2013

2. From the perusal of the pleadings, it appears that the respondent-department has received an anonymous complaint in-respect-of an alleged act of sexual harassment by the petitioner. The complaint does not disclose the details of the complainant. It is an anonymous complaint. That complaint is not supported with any documents or any other proof in-respect-of the allegation. Nonetheless, the respondents on receiving the complaint considering the nature of allegation, have placed the matter before the Internal Committee constituted in cases of sexual harassment of Women at Workplace and a notice has been issued by the said Internal Committee to the petitioner.
3. The pleadings further show that the petitioner has also made a submission before the authorities concerned raising various objections in-respect-of the maintainability of the complaint in-terms-of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules framed thereunder. However, thereafter, there does not seem to be any progress.
4. Since the said Internal Committee has not progressed further with the enquiry, it would not be proper for this Court at this juncture to express any opinion on the claim of the petitioner on its merits. It would be left for the Committee to take an appropriate decision on the said submission by the petitioner before proceedings further with the complaint and it is expected that the Committee while taking a decision would take into consideration the provisions of the aforementioned Act

of 2013 and the rules framed thereunder. Reserving the right of the petitioner to avail all other remedies open to him in the event if the decision is detrimental to the interest of the petitioner.

5. The writ petition accordingly stands disposed of.

Sd/-

**P. Sam Koshy**  
**Judge**

J/-