

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6242 of 2021**

- Ramadhar Yadav S/o Dukhiram Yadav Aged About 49 Years Presently Posted And Working As Assistant Teacher (L.B.), Govt. Primary School, Chhirradih, Block Jaijaipur, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Director Directorate Of Public Instructions, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh
3. Collector Janjgir Champa Chhattisgarh
4. District Education Officer Sakti, District Janjgir Champa Chhattisgarh
5. Block Education Officer Jaijaipur, District Janjgir Champa Chhattisgarh
6. Janpad Panchayat District Janjgir Champa Chhattisgarh Through The Chief Executive Officer
7. Principal Cum Enquiry Officer Govt. Middle School, Ghivra, Block Jaijaipur, District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioners : Shri B.D. Guru, Advocate

For Respondents/State : Shri Ghanshyam Patel, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****15/11/2021**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner joined in the services of the Education Department in the year 2008 and he is having the qualification of B.A. and B.Ed. He would further submit that subsequently an

application was made by one Sumit Pandey alleging that the petitioner is holding the fake certificate of D.Ed whereas the petitioner is B.Ed, therefore, on this premises the show-cause notice Annexure P-1 has been issued on 23.10.2021. He would further submit that in order to answer the show-cause notice, the document on which the show-cause notice is based is required to be supplied to the petitioner, however, the same has not been supplied and thereby the serious fall out of natural justice is committed. Learned counsel would therefore pray that Annexure P-1 may kindly be quashed.

3. Per contra, learned State counsel opposes the arguments advanced by learned counsel for the petitioner.
4. After reading Annexure P-1 it reflect that the petitioner has been given opportunity to defend, however, in any case the document on the basis of which the show-cause notice was issued is required to be given to the petitioner. Considering the fact that the impugned notice has been issued after 13 years of the service, therefore, the State authorities are directed to supply the document to the petitioner on which the show-cause notice Annexure P-1 dated 23.10.2021 has been issued and after such document is received, the petitioner would be at liberty to file the reply within a period of 45 days. Till then the show-cause notice is replied and adjudicated, no coercive action be taken against the petitioner.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu