CGHC010345082026 2026:CGHC:44079

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6739 of 2026

Jagdish Prasad Kushwaha S/o Shri Ramvilash Kushwaha Aged About 46 Years R/o Nawapara, Ambikapur, Distt. Surguja (C.G.)

... Petitioner

versus

1 - State of Chhattisgarh Through The Secretary, Department of Co-Operative Society, Mahanadi Bhawan, New Raipur, Distt. Raipur (C.G.)

2 - Chief Executive Officer District Cooperative Central Bank Maryadit Ambikapur, Distt. Surguja (C.G.)

3 - The Joint Registrar Co-Operative Societies, Surguja Division, Ambikapur, Distt. Surguja (C.G.)

... Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State/Respondent	:	Mr. Soumitra Kesharwani, PL
For Respondent No.2	:	Mr. Hariom Rai & Mr. Javed Khan, Advocate on behalf of Mr. Jitendra Shrivastava, Advocate

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

12/10/2026

1. Learned counsel for the petitioner submits that despite the order dated 23.01.2026 passed by the appellate authority setting aside the order of termination of the petitioner, an appropriate final decision has not yet

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been taken in the matter.

2. On the last date of hearing, this Court directed respondent No. 2 to file an affidavit disclosing the action taken pursuant to the order passed by the appellate authority. In compliance with the said direction, an affidavit has been filed on behalf of respondent No. 2.

3. Learned counsel appearing for respondent No. 2, referring to the affidavit, submits that pursuant to the order passed by the appellate authority, the matter was placed before the Staff Sub Committee, which, vide its decision dated 16.04.2026, directed the Chief Executive Officer to conduct a fresh departmental enquiry against the petitioner. It is further stated that the enquiry officer and the presenting officer were appointed vide communication dated 29.05.2026, with a direction to submit the enquiry report within fifteen days. It is further stated in paragraph 7 of the affidavit that, under Rule 61(IV) of the Staff Service Rules, the Chief Executive Officer is not competent to take a final decision in the matter and that the Staff Sub Committee is the competent authority to take an appropriate decision in respect of the petitioner. It has also been stated that the matter is under consideration before the Staff Sub Committee and that an appropriate decision would be taken in accordance with the order dated 23.01.2026 passed by the appellate authority within a period of two weeks.

4. In view of the aforesaid statement made in paragraph 7 of the affidavit filed by respondent No. 2, learned counsel for the petitioner submits that the petition may be disposed of in terms of the statement made therein.

5. Considering the submissions made by learned counsel for the parties and the stand taken by respondent No. 2 in paragraph 7 of the affidavit, the petition is disposed of in terms of paragraph 7 of the said affidavit.

SD/-
(Bibhu Datta Guru)
JUDGE

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