CGHC010416652026 2026:CGHC:45291

NAFR

SOURABH BHILWAR
Digitally signed by SOURABH BHILWAR
Date: 2026.10.29 11:13:18 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7674 of 2026

Kandarp Bahadur Singh S/o Late Shri Keshar Bahadur Singh Aged About 61 Years R/o Bunglow No. 248 Lotus Talpuri Phase 1, Ruabandha, Bhilai, Distt. Durg, Chhattisgarh.

... Petitioner

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Home/ Police, Mahanadi Bhawan, Mantralay, P.S. And Post Rakhi, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.

2 - Director General Of Police (DGP) Police Headquarter (PHQ), Sector 19, Police Station And Post Office, Rakhi Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.

3 – Commandant, Office Of Commandant, 1st Battalion, Chhattisgarh Armed Force (CAF), Bhilai, Distt. Durg, Chhattisgarh.

4 – Commandant, Office Of Commandant, 8th Battalion, Chhattisgarh Armed Force (CAF), Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh.

5 - Enquiry Officer, Commandant, 7th Battalion, Chhattisgarh Armed Force (CAF) Bhilai, Distt. Durg, Chhattisgarh.

6 - Presenting Officer/ Deputy Commandant 7th Battallion, Chhattisgarh Armed Force (CAF) Bhilai, Distt. Durg, Chhattisgarh.

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	:	Mr. Abhishek Pandey, Advocate alongwith Ms. Sundara Saha, Advocate.
For Respondents	:	Ms. Sakshi Bajpai, Panel Lawyer.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

27/10/2026

1. The grievance of the petitioner in the present writ petition is confined to the prolonged departmental enquiry pending against the petitioner.

2. The facts of the case, in brief, are that the petitioner was posted as Deputy Commandant in the 1st Battalion, Bhilai, District Durg. On certain allegations, a show-cause notice was issued to the petitioner on 24.04.2024, to which he submitted his reply denying the allegations. Thereafter, a charge-sheet dated 25.11.2024 was issued by respondent No.1, and the petitioner submitted his reply denying the charges. However, the Inquiry Officer and the Presenting Officer were appointed only on 07.04.2026, after a delay of more than 16 months from the issuance of the charge-sheet. Relying upon the circular dated 12.03.2013 issued by the Secretary, GAD, prescribing a

maximum period of one year for conclusion of departmental inquiries, the petitioner has filed the present writ petition seeking a direction to the respondent authorities to conclude the departmental inquiry within a stipulated period.

3. At the outset, learned counsel appearing for the parties would submit that the issue involved in this writ petition has already been considered and decided by this Court vide order dated **10.07.2026** passed in **WPS No.5073 of 2026 (*Vinay Kumar Tripathi vs. State of Chhattisgarh & Others*)**, wherein this Court held as under:-

> "5. It would be relevant at this juncture to refer to the judgment of the Hon'ble Supreme Court in the case of **Premnath Bali Vs. Registrar, High Court of Delhi and another, (2015) 16 SCC 415**, wherein the Hon'ble Supreme Court dealing with the issue of prolonged departmental enquiry has in paragraph 26 to 28 has held as under :-
>
> > *"26. Time and again, this Court has emphasized that it is the duty of the employer to ensure that the departmental inquiry initiated against the delinquent employee is concluded within the shortest possible time by taking priority measures. In cases where the delinquent is placed under suspension during the pendency of such inquiry then it becomes all the more*

imperative for the employer to ensure that the inquiry is concluded in the shortest possible time to avoid any inconvenience, loss and prejudice to the rights of the delinquent employee.

27. As a matter of experience, we often notice that after completion of the inquiry, the issue involved therein does not come to an end because if the findings of the inquiry proceedings have gone against the delinquent employee, he invariably pursues the issue in Court to ventilate his grievance, which again consumes time for its final conclusion.

28. Keeping these factors in mind, we are of the considered opinion that every employer (whether State or private) must make sincere endeavor to conclude the departmental inquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time frame then efforts should be made to conclude within reasonably

extended period depending upon the cause and the nature of inquiry but not more than a year. ”

6. Given the authoritative decision by the Hon'ble Supreme Court and also taking into consideration the substantial period of three years time that have lapsed after the date of issuance of charge sheet, this Court is of the opinion that writ petition can be disposed of directing the respondents to make all endeavours to conclude the departmental enquiry within the further period of 4 months time starting from today failing which the respondents are directed to ensure taking appropriate steps in the light of the judgment of the Supreme Court in the case of Premnath Bali (Supra) to drop the proceedings in case if they are unable to proceed with the departmental enquiry for justifiable reasons and in case if there are any bonafide, genuine and cogent reasons available on the administrative side then also appropriate measures should be taken to ensure that departmental enquiry is expedited as early as possible.

7. With the aforesaid observations, the writ petition stands disposed of.

4. In view of the above and having considered the submissions made by learned counsel for the parties and having gone

through the materials available on record, it is evident that the facts and issue involved in this petition is identical to **WPS No. 5073 of 2026,** this Court deems it appropriate not to take a view other than what has been taken in the aforesaid writ petition.

5. Accordingly, the present petition is **disposed of** in terms of the order dated **10.07.2026** passed in **WPS No. 5073 of 2026**.

Sd/-

(Bibhu Datta Guru)
Judge

$. Bhilwar