



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5711 of 2021

Nand Kumar Pandey, S/o Late Shri Govindram Pandey, Aged About 65 Years, O/o Retired Forest Ranger, Production and Depot Gariyaband, District- Gariyaband (C.G.) R/o Village & Post Nagri, Ward No 03, Nangal Para Nagri, Tehsil- Nagri, District- Dhamtari (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Secretary, Forest and Climate Change Department, Government of Chhattisgarh, Aranya Bhawan, North Block, Sector 19, Nava Raipur, Atal Nagar District- Raipur (C.G.)
2. The Principal Chief Conservator of Forest Chhattisgarh, Aranya Bhawan, Sector 19, Atal Nagar, Nava Raipur District- Raipur (C.G.)
3. The Additional Chief Conservator of Forest Chhattisgarh, Aranya Bhawan, Sector 19, Atal Nagar, Nava Raipur, District- Raipur (C.G.)
4. Chief Conservator Forest Raipur Circle, District- Raipur (C.G.)
5. Divisional Forest Officer Gariyaband Division, District- Gariyaband (C.G.)

---- Respondents

For Petitioner	:	Mr. Himanshu Pandey, Advocate.
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice Narendra Kumar Vyas

Order on Board

20.07.2022

1. The grievance of the petitioner in this petition is that the charge-sheet has been issued to the petitioner on 02.07.2019 alleging that from 22.07.2014 to 31.07.2016 the petitioner has committed certain irregularities.
2. Learned counsel for the petitioner would submit that the petitioner has made representation before the respondent authorities on 16.12.2019 (Annexure P/3) and demanded the documents, but the same has not been provided to the petitioner by the respondents. He has also made representations



on 12.11.2019, 27.11.2019, 05.12.2019, 09.12.2019 & 25.06.2021 for supply of the documents, but the same has not been provided to him by the respondents. He would further submit that an enquiry has been initiated against the petitioner, which is in violation of Chhattisgarh Civil Services Conduct Rules, 1965.

3. It is not in dispute that the charge-sheet has been issued to the petitioner on 02.07.2019 wherein the alleged misconduct of the petitioner is of the year 2016, which is prior to four years of date of issuance of charge-sheet, therefore, the charge-sheet at this juncture cannot be quashed on this count alone that the charge-sheet has been issued in violation of Chhattisgarh Civil Services Conduct Rules, 1965. The petitioner has also raised other grievance that the document has not been supplied, which may hamper his defence adversely and also causes prejudice, therefore, the documents should be supplied to him. The petitioner has raised his grievance by submitting representations as stated hereinabove.

4. The State/respondent is directed to provide the documents as demanded by the petitioner to defend his case in conformity with the principle of natural justice. The State/respondent is directed to supply the documents to the petitioner within four weeks and thereafter conclude the enquiry and make an endeavor to conclude the enquiry within an outer limit of one year from the date of receipt of copy of this order as the petitioner is retired government servant.

5. With these observations and directions, the instant writ petition stands disposed of.

Sd/-
(Narendra Kumar Vyas)
Judge