



2026:CGHC:34291



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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2445 of 2026

Leeladhar Devvanshi S/o Bhuneshwar Rai Devvanshi Aged About 34 Years Resident Of Litipara, P.S.- Peeparcheedi, Constable No. 691, Police Station, Chhura, District- Gariyaband (C.G.)

... **Petitioner**

versus

1 - State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur (C.G.)

2 - The Inspector General Of Police, Raipur Zone, District- Raipur (C.G.)

3 - The Superintendent Of Police, Gariyaband, District- Gariyaband (C.G.)

4 - The Additional Superintendent Of Police, Gariyaband, District- Gariyaband (C.G.)

5 - The Sub-Inspector, Police Station, Gariyaband, District- Gariyaband (C.G.)

... **Respondents**

(Cause title is taken from Case Information System)

For Petitioner : Mr. Rudra Pratap Dubey, Advocate

For Respondents/ State : Mr. Lav Sharma, Panel Lawyer

**(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)****Order on Board****05/08/2026**

1. By the present writ petition, the petitioner seeks quashment of the impugned show cause notice dated 31.01.2026 (Annexure P/1) issued by respondent No.2, whereby a proposal has been made to remand the departmental enquiry and to cancel the punishment order dated 30.12.2025 passed by respondent No.3.
2. Learned counsel for the petitioner submits that after completion of a full-fledged departmental enquiry, respondent No.3, vide order dated 30.12.2025, imposed a minor punishment of withholding one increment for a period of one year with non-cumulative effect and further directed that the suspension period from 06.05.2020 to 25.08.2020 shall be treated as suspension period only. He submits that the said order was passed after following due procedure and considering the material available on record. However, respondent No.2, without there being any complaint or valid reason, has suo motu issued the impugned show cause notice dated 31.01.2026 proposing cancellation of the punishment order and remand of the departmental enquiry for conducting a fresh enquiry from the stage of examination of prosecution witnesses. Learned counsel would further submit that the impugned show cause notice has been issued with predetermined manner as the respondent No.2 has made up his mind to contemplate the enquiry against the petitioner from the stage of examination of the prosecution witnesses of earlier departmental



enquiry proceedings. It is contended that such action of respondent No.2 is arbitrary, without jurisdiction and contrary to the settled principles of service jurisprudence and not at all sustainable in the eyes of law. Hence, it is prayed that the impugned show cause notice be quashed.

3. Learned State counsel opposes the submissions made by learned counsel for the petitioner and submits that the impugned show cause notice has been issued by the competent authority in exercise of its power after examining the record of the departmental enquiry. He submits that the show cause notice has only been issued to the petitioner and no final order has been passed till date. Without submitting any reply to the said show cause notice, the petitioner has straightaway approached this Court by filing the present writ petition. Hence, no interference is warranted at this stage and the writ petition is liable to be dismissed.
4. I have heard learned counsel for the parties and perused the documents available on record.
5. For adjudication of the present *lis*, it would be apt to quote Regulation 270(4) of the M.P./C.G. Police Regulations, which reads thus;

“270(4). The revising authority may for reasons to be recorded in writing exonerate or may remit, vary or enhance the punishment imposed or may order a fresh enquiry or the taking of further evidence in the case :



Provided that it shall not vary or reverse any order unless notice has been served on the parties interested and opportunity given to them for being heard.”

6. A plain reading of the aforesaid provision makes it clear that the Revisional Authority is vested with the power to exonerate, remit, vary or enhance the punishment imposed, or to order a fresh enquiry or taking of further evidence, provided the reasons are recorded in writing. The proviso further mandates that before varying or reversing any order, the affected party must be served with notice and afforded an opportunity of hearing. Thus, the issuance of the impugned show cause notice proposing remand of the departmental enquiry is well within the scope of the powers conferred under Regulation 270(4) of the M.P./C.G. Police Regulations and cannot, by itself, be said to be without jurisdiction or illegal.
7. In the case at hand, the respondent No.2 has issued the show cause notice and asked the petitioner to offer his explanation and except that no order with respect to vary or reverse or enhance the punishment was passed. The order impugned is only a show cause notice proposing exercise of such revisional power and no final order affecting the rights of the petitioner has been passed till date.
8. At this stage, this Court does not find any jurisdictional error or illegality in issuance of the impugned show cause notice warranting interference under Article 226 of the Constitution of India.



9. Accordingly, the writ petition, being devoid of merit, is liable to be and is hereby **dismissed** at the motion stage itself. However, the Revisional Authority shall consider the reply/objection, if any, submitted by the petitioner and pass an appropriate order in accordance with law.

Sd/-
(BIBHU DATTA GURU)
JUDGE

\$. Bhilwar