

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 2210 of 2020

Smt. Premlata Trivedi **Versus** State Of Chhattisgarh & ors

03/06/2020	Shri Rajesh Kumar Kesharwani, counsel for the petitioner. Shri Chandresh Shrivastava, Dy.A.G. for the State. Heard. Submission of the petitioner is that she stands retired on 31/07/2018 and for an incident which happened in 2014-2015 charge sheet has been served on 21/05/2020. It is further submitted that as per Rule 9(2)(b)(i)(ii) of the Chhattisgarh Civil Services (Pension) Rules, 1976 the departmental enquiry could not be commenced without the sanction of the Governor and further it cannot be done for an event which took place after more than four years before the commencement of DE. It is further contended that in this case allegation of misconduct is of 2014. Perused the document Annexure P-1 and charge sheet. Allegation prima facie is attributed to year 2014-2015 and the petitioner stands retired in 2018. Learned State counsel is directed to file reply. Considering the Rule 9(2)(b)(i)(ii) of the Chhattisgarh Civil Services (Pension) Rules, 1976, it is directed that there shall be stay of the departmental enquiry till the next date of hearing. List the case after six weeks. Sd/- (Goutam Bhaduri) JUDGE
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