



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(S) No. 3744 of 2022

Sagar Singh Rajput S/o Shri R.N. Singh Aged About 46 Years R/o Radha Krishna Ward No. 20, Kabirdham Police Station Tahsil And District Kabirdham Chhattisgarh. Mo. No. 9755912286.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health Mahanadi Bhawan, New Mantralaya, Atal Nagar Raipur, Tahsil and District : Raipur, Chhattisgarh
2. Divisional Joint Director, Health Services Raipur, Tahsil and District : Raipur, Chhattisgarh
3. Collector Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh
4. Chief Medical And Health Officer Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh
5. Civil Surgeon, District Hospital Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh
6. Block Medical Officer, Community Health Center Sahaspur (Lohara), District : Kawardha (Kabirdham), Chhattisgarh.

---- **Respondents**

14/06/2022	Shri Ratnesh Kumar Agrawal, Advocate for the petitioner. Shri Ali Asgar, Dy.G.A. for the State/ respondents. Heard on petition as well as on I.A. No. 1 of 2022, an application for grant of interim relief. It is submitted by counsel for the petitioner that the petitioner is working as Steward (clerk) under respondent No.6. The petitioner was served with a charge-sheet on



which, the enquiry report was submitted on 14.10.2019 and the petitioner was exonerated from all the charges against him. The petitioner was continuing in suspension, therefore, he filed W.P.(S) No. 2727 of 2021, which was decided on 22.6.2021. Thereafter, on 21.9.2021 after issuing of the contempt notice by this Hon'ble Court, respondent No.2 reinstated the service of the petitioner.

In the present circumstances, the petitioner has been served with second charge-sheet vide Annexure-P/1 for enquiry on the same charges on which, the report has already submitted. This action of the respondents is totally against the Rule 15(1) of the Chhattisgarh Civil Services (Classification Control and Appeal) Rules, 1966.

Reliance placed on the order of this Court in the case of **K.M. Mishra vs. State of Chhattisgarh and Ors.**, in **W.P.(S) No.3792 of 2011**, dated 24.8.2021 and it is prayed that the action initiated against the petitioner by the respondents may be stayed.

Learned State counsel representing for all the respondents opposes the submissions and submits that time may be granted to seek instructions and also to file reply as there may be a different proceeding initiated against the petitioner on the basis of different charges against him and it appears from the facts which have been mentioned in the submissions made by counsel for the petitioner.

Time is granted to the respondents' counsel for filing reply to the petition and also to the application for grant of interim relief, however, in the meanwhile, it is ordered that the impugned orders dated 21.3.2022 and 2.4.2022 shall remain



stayed until the next date of hearing. This order shall be reconsidered after filing of reply by the respondents side.

List this case in the week commencing **11th July, 2022.**

Sd/-

(Rajendra Chandra Singh Samant)
Judge