

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 4322 of 2020

Ghanshyam Kumar Dhoba vs. State of Chhattisgarh

4-11-2020	<p>Mr. Keshav Prasad Gupta, counsel for the petitioner.</p> <p>Mr. Akanksha Jain, Dy. Govt. Advocate appears and accepts notice on behalf of the State. She prays for and is granted four weeks' time to seek instructions.</p> <p>Learned counsel for the petitioner submits that the petitioner without any due hearing of departmental proceeding was punished by order dated 23-8-2016 (Annexure P/1) on the ground that he has used certain JCB machine during the work of Mahatma Gandhi National Rural Employment Guarantee Scheme (for short, MNREGA). However, the said allegation was false and JCB machine was never used in MNREGA, therefore, the order dated 23-8-2016 (Annexure P/1) has been passed without following the rules of natural justice and the same is liable to be set aside. He would</p>

further submit that the petitioner's services are governed by the Classification, Control and Appeal Rules 1965 which necessarily purports that before imposing penalty, departmental enquiry to be conducted.

Issue notice to respondent No.4 on payment of process fee within one week. Notice be made returnable in four weeks.

List this case after four weeks.

Sd/-

(Goutam Bhaduri)  
Judge

Raju