



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5327 of 2020

**SMT. DEEPTI AGARWAL versus STATE OF CHHATTISGARH
AND OTHERS**

Order Sheet

<p>13/11/2025</p>	<p>Mr. Manoj Paranjpe, Senior Advocate along with Mr. Ashutosh Pandey, counsel for the petitioner.</p> <p>Mr. Animesh Tiwari, counsel for respondent No.4.</p> <p>Mr. Rajeev Bharat, GA for the State.</p> <p>Heard.</p> <p>Learned Senior counsel submits that this matter has been listed in pursuance of the directions given in WA No.762/2025 vide order dated 31.10.2025, wherein it was observed that this Petition has been pending for nearly five years and an interim protection has been operating in favour of the petitioner, whereby the Departmental Enquiry was stayed vide order dated 17.12.2020. Counsel for the parties were also directed to extend their cooperation for the early and effective disposal of the said Writ Petition.</p> <p>When a query has been put to learned counsel at the Bar, he submits that reply of the private respondents has been dispensed with at this stage in view of the observations made in the earlier order dated 17.12.2020. Upon a further query being</p>
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made as to whether any relief has been sought from the private respondents, learned counsel for the petitioner prays for time to file a suitable application to delete the names of the private respondents, as no relief has been sought against them and there is no averment regarding any malafide action on their part. The petitioner is at liberty to move such an application, if he so desires.

This matter has been linked with the connected cases i.e. WPS No.5304/2020 and WPS No.5393/2020 (*Ashok Chaturvedi vs State of C.G. and others*).

Learned Senior counsel for the petitioner submits that on the date of the DPC i.e. 25.11.2020, no charge-sheet had been issued against the petitioner; only an FIR had been registered. The charge-sheet was issued on 26.11.2020 and served upon the petitioner on 04.12.2020, while the promotion order was issued on 23.02.2021. He further submits that on the date of the DPC, no charge-sheet had been issued either in the Departmental Enquiry or in the criminal prosecution. However, the consideration of the petitioner's promotion was kept in a sealed cover, though such procedure was not applicable in the given circumstances. Consequently, the petitioner filed WPS No.4645/2022 challenging the said procedure, which was dismissed on 28.08.2025 and the same was affirmed in WA No.762/2025 vide order dated 31.10.2025.

When a query was put to learned Senior Counsel for the petitioner, he submits that an observation had already been made in WP(Cr.) No.82/2021 vide order dated 25.07.2023, for expeditious investigation, directing the authorities to conclude the investigation within a period of three weeks and submit a report

before the competent Court.

Learned counsel for the State submits that he is unaware as to whether any charge-sheet has been filed or not and therefore, he prays for time to seek instructions in this regard. However, counsel for the petitioner submits that no charge-sheet has been filed in the criminal case.

Learned State counsel is directed to file an affidavit of the concerned Superintendent of Police in this regard and in the event, the matter is pending for any sanction, an affidavit of the Secretary of the concerned Department shall be filed explaining as to why despite the direction issued, such compliance has not been made.

Learned Senior counsel would submit that the only issue involved in this Petition pertains to the applicability of Rule 18, as proper procedure for concluding a joint enquiry has not been followed and no requisite approval has been obtained from the competent authority.

List this matter along with WPS No.5327/2020 and WPS No.5393/2020 in the 3rd week of January, 2026.

Interim relief granted earlier shall continue till the next date of hearing.

Sd/-

(Deepak Kumar Tiwari)

Judge