

31



**HIGH COURT OF CHHATTISGARH, BILASPUR**

**S.B.: HON'BLE SHRI JUSTICE SUNIL KUMAR SINHA**

**W.P. (S) NO.2636 OF 2009**

**PETITIONER**

Ajay Kumar Daharia s/o Ganesh  
Ram Daharia, aged about 57  
years, R/o village & P.O. Basin,  
District Janjgir Champa  
(Chhattisgarh)

**Vs.**

**RESPONDENTS**

- 1 State of Chhattisgarh through the  
Secretary, Department of  
Veterinary Services, Dau Kalyan  
Singh Building, Raipur  
(Chhattisgarh)
- 2 The Directorate, Through  
Additional Director, Department of  
Veterinary Services, Dau Kalyan  
Singh Building, Raipur  
(Chhattisgarh)
- 3 The Deputy Director, Veterinary  
Services, Raigarh(CG)
- 4 The Deputy Director, Veterinary  
Services, Janjgir, District Janjgir  
Champa(CG)
- 5 The Collector, District Janjgir  
Champa(CG)

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION  
OF INDIA**

**Appearance:**

Shri Dharmesh Shrivastava, counsel for the petitioner.

Shri Y.S. Thakur, Dy. Advocate General for the  
State/respondents No. 1 to 5 on advance copy.

W.P.(S)No. 2636/2009

**ORAL ORDER**  
**(20.05.2009)**

**SUNIL KUMAR SINHA, J.**

Heard.

Petitioner- Ajay Kumar Daharia has filed this writ petition for the following relief(s):

- 10.1 That the Hon'ble Court may kindly be pleased to call for the entire records for its kind perusal.
- 10.2. That this Hon'ble Court may kindly be pleased to issue a writ of certiorari quashing the impugned Charge-Sheet (Annexure P-1) passed by the respondent no.2 with all consequential benefits.
- 10.3. That this Hon'ble Court may kindly be pleased to issue writ in nature of Mandamus to give appropriate direction/order to respondents to allow the petitioner to join the service.
- 10.4. That any other relief which the Hon'ble Court may deem fit and proper also be granted to the petitioner in the interest of justice.
- 10.5. That the cost of the petition may also be given to the petitioner by the respondents authorities.

During the course of arguments, learned counsel for the petitioner submitted that the petitioner is under suspension since 1.10.2001, therefore, he is not pressing the main relief of quashment of the charge sheet and praying for a direction to the respondents to expedite the proceedings of departmental enquiry pending before them.

This limited prayer made by learned counsel for the petitioner is not opposed by learned counsel for the State. However, he submits that a reasonable time may be granted to dispose of the departmental enquiry proceedings.

Considering the facts and circumstances of the case, particularly the circumstance that the petitioner is under

W.P.(S)No. 2636/2009

suspension since 1.10.2001, the aforesaid limited prayer is allowed and it is directed that the respondents shall dispose of the departmental enquiry proceedings, pending before them (as stated by counsel for the petitioner) as early as possible preferably within a period of six months from the date of production of certified copy of this order along with copy of the writ petition before the concerned authority.

With the aforesaid observations/directions, the writ petition stands finally disposed of.

In view of the above, I.A.No.1/2009 for grant of interim relief, I.A.No.2/2009 for urgent hearing and I.A.No.3/2009 for hearing the case during Summer Vacation stand disposed of.

Certified copy as per rules.

Sd/-  
Sunil Kumar Sinha  
Judge

sumita