



CGHC010107492021



2026:CGHC:27664

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 2345 of 2021**

Anand Kumar Ekka S/o Late Charles Ekka Aged About 51 Years Presently Posted As Deputy Account Officer, Chhattisgarh State Civil Supplies Corporation Limited, Sukma, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh

**... Petitioner**

**versus**

**1** - State Of Chhattisgarh Through The Principal Secretary, Food And Civil Supply, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh.

**2** - Managing Director Chhattisgarh State Civil Supplies Corporation Limited, Sector 24, Office Complex Block-7-A, 2nd Floor, Atal Nagar, Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh

**... Respondent(s)**

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For Petitioner	:	Mr. Rohan Kumbhare, Advocate appears on behalf of Mr. Bhaskar Jha, Advocate.
For State	:	Mr. Keshav Gupta, G.A.
For Respondent No. 2	:	Mr. Syed Majid Ali, Advocate

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**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**06.07.2026**

**1.** The petitioner has filed this petition seeking following reliefs:-

**10.1.** *That, this Hon'ble Court may kindly be pleased to call for the entire records relating to this case.*

**10.2.** *That, this Hon'ble Court may kindly be pleased to allow the petition and quash the*

*order dated 03.03.2021 (Annexure P/4) and allow the petitioner to continue on the post of Deputy Account Officer, in the interest of Justice.*

**10.3.** *That any other relief, which this Hon'ble court may deem fit an proper together with cost of the petition.*

2. Learned counsel for the petitioner would submit that initially the petitioner was appointed to the post of Assistant Account Officer under the Respondent No. 2, and thereafter, to the post of Deputy Account Officer on adhoc basis vide order dated 21.06.2005. It is contended that a departmental enquiry was initiated against the petitioner and vide order dated 14.01.2021 disciplinary authority inflicted penalty of stoppage of three annual increments with cumulative effect, and on that premises, respondent No. 2 vide order dated 03.03.2021 reverted the petitioner to the post of Assistant Account Officer. It is argued that the petitioner was promoted to the said post on 21.06.2005 and without affording any opportunity of hearing and without holding a departmental enquiry major penalty has been inflicted upon the petitioner. He would pray to quash order Annexure P-4 dated 03.03.2021.
3. On the other hand, learned counsel appearing for the respondents would oppose. Learned counsel appearing for respondent No. 2 would submit that in a departmental enquiry petitioner was inflicted with penalty of stoppage of three increments with cumulative effect vide order dated 14.01.2021, and therefore, decision was taken to

revert the petitioner to the post of Assistant Account Officer. It is also contended that the order passed by the respondent No. 2 is appealable before the Chairman according to Rule 24 of Recruitment and Promotion Rules, 2005. He would submit that sufficient opportunity was afforded to the petitioner and this petition deserves to be dismissed.

4. I have heard learned counsel for the parties and perused the documents placed on record.
5. Admittedly, the petitioner was promoted to the post of Deputy Account Officer vide order dated 21.06.2005. A departmental enquiry was initiated and penalty of stoppage of three increments with cumulative effect was inflicted vide order dated 14.01.2021, but surprisingly on the basis of penalty of stoppage of three increments with cumulative effect, the respondent No. 2 took decision to revert the petitioner to the post of Assistant Account Officer. It is not in dispute that no opportunity of hearing was afforded and no departmental enquiry was initiated against the petitioner with regard to imposition of penalty of reversion, and therefore the order dated 03.03.2021 is not sustainable in the eyes of law, accordingly **quashed**. The respondent No. 2 would be at liberty to take decision, if required, strictly in accordance with law after affording due opportunity of hearing to the petitioner.

**Sd/-**

**(Rakesh Mohan Pandey)**  
JUDGE

**Arpan**