



2026:CGHC:19809

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2048 of 2026**

1 - Puna Ram Gayakwad S/o Kanhaiya Gayakwad Aged About 43 Years R/o Ward No. 5, Near Ghasidas Chowk, Village- Salauni, Tahsil- Palari, District- Balodabazar-Bhatapara (C.G.)

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

2 - Collector Balodabazar, District- Balodabazar- Bhatapara (C.G.)

3 - Sub-Divisional Officer (Revenue) Palari, District- Balodabazar- Bhatapara (C.G.)

4 - Chief Executive Officer District Panchayat, Balodabazar, District- Balodabazar- Bhatapara (C.G.)

5 - Chief Executive Officer Janpad Panchayat, Palari, District- Balodabazar- Bhatapara (C.G.)

6 - Banshilal Banjare Sarpanch, Gram Panchayat, Salauni, Janpad Panchayat, Palari, District- Balodabazar- Bhatapara (C.G.)

7 - Rajesh Tandon Secretary, Gram Panchayat, Salauni, Janpad Panchayat, Palari, District- Balodabazar- Bhatapara (C.G.)

... Respondent(s)**(Cause Title is taken from CIS System)**



For Petitioner : Mr. Shiv Kumar Banjare, Advocate

For State : Mr. Shobhit Mishra, Dy. Govt. Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

29/04/2026

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

"10.1 That, this Hon'ble Court may kindly be pleased to issue a writ in the of mandamus directing the Respondents to take immediate action on the inquiry report against respondent No.6 and 7. nature

10.2 That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of mandamus directing the Respondents to recover the amount found embezzled/misappropriated in the inquiry proceedings from respondent No.6 and 7 in accordance with law.

10.3 That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of mandamus directing the Respondents to lodge/register FIR/criminal proceedings against respondent No.6 and 7 for embezzlement and misuse of government funds.



10.4 That, this Hon'ble Court may kindly be pleased to award costs of the petition in favour of the petitioner.

10.5 That, this Hon'ble Court may kindly be pleased to grant any other relief/reliefs in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case.”

2. Facts of the case, as projected in the writ petition, are that the petitioner is a permanent resident of Village Salauni, Tahsil Palari, District Balodabazar-Bhatapara (Chhattisgarh). The present case arises out of complaints made by the petitioner and other villagers against the Sarpanch and Secretary of Gram Panchayat Salauni (respondents No. 6 and 7), alleging large-scale financial irregularities and misappropriation of government funds in execution of development works. On the basis of such complaints, the competent authority, namely the Chief Executive Officer, District Panchayat, directed initiation of an inquiry into the allegations. Pursuant thereto, a three-member inquiry committee was constituted by the Chief Executive Officer, Janpad Panchayat, Palari. The inquiry team conducted spot inspection, recorded statements of concerned persons, and submitted its report after due investigation. As per the findings recorded in the inquiry report, several irregularities were found in execution of works due to non-production of technical sanction, administrative



approval, and estimates by the Sarpanch and Secretary. The inquiry report specifically indicated financial irregularities and recommended recovery of an amount of Rs. 5,25,000/- from respondents No. 6 and 7. It also noted irregular handling of certain funds, including non-deposit of market contract amount. Despite such findings, no further action has been taken by the competent authorities. The petitioner, thereafter, submitted multiple representations and also approached the police authorities seeking registration of FIR against the concerned persons; however, no effective steps have been taken till date.

3. Learned counsel for the petitioner submits that a duly constituted inquiry was conducted by the competent authority, and upon such inquiry, serious financial irregularities and misappropriation of government funds have been found against respondents No. 6 and 7. It is contended that the inquiry report clearly establishes embezzlement of public funds and even recommends recovery from the erring officials. It is further submitted that despite such categorical findings, the respondent authorities have failed to take any consequential action, either for recovery of the misappropriated amount or for initiation of criminal proceedings. According to learned counsel, such inaction on the part of the authorities is arbitrary, illegal, and amounts to failure in discharge of statutory duties. Learned counsel thus contends that the continued inaction of the authorities, despite proven allegations of



financial irregularities, defeats the very purpose of accountability in public administration and warrants interference by this Court.

4. Learned counsel for the State submits that appropriate action has already been initiated in pursuance of the inquiry report and the matter is under active consideration of the competent authorities in accordance with the applicable statutory provisions. It is contended that mere submission of an inquiry report does not automatically entail immediate coercive action, and due procedure is required to be followed before fixing liability. It is further submitted that there is no deliberate inaction on the part of the authorities and the petition is premature, thus not warranting interference under writ jurisdiction.
5. I have heard learned counsel for the parties and perused the material available on record.
6. From the record, it is evident that pursuant to complaints made by the petitioner and other villagers, a competent authority constituted an inquiry committee, which conducted a detailed inquiry into the allegations against respondents No. 6 and 7. The inquiry report, as placed on record, clearly records findings of financial irregularities and misappropriation of government funds and also recommends recovery of a specified amount from the concerned persons. In such circumstances, once an inquiry conducted by a duly constituted authority has culminated in findings indicating misappropriation of public funds, the concerned



authorities are expected to take the matter to its logical conclusion in accordance with law. Mere pendency or inaction thereafter cannot be countenanced, particularly when public funds and issues of accountability in local governance are involved. Accordingly, without entering into the merits of the allegations or issuing any specific direction as to the manner of action, this Court deems it appropriate to direct the competent authorities to consider the inquiry report and proceed further strictly in accordance with law.

7. Consequently, the concerned Collector as well as the Chief Executive Officer, Janpad Panchayat, Balodabazar are directed to consider the findings of the inquiry report and to initiate appropriate proceedings against the persons against whom allegations have been found to be proved, in accordance with law, within a reasonable period.
8. With the aforesaid observations and directions, the writ petition stands disposed of.

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Shayna