

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1774 of 2017**

- Hem Nidhi Patel S/o Suraj Charan Patel, Aged About 49 Years R/o Village Gorra, Tahsil Pusore, P. S. Kotararoad, District Raigarh (Chhattisgarh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through : The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
2. Collector, Raigarh, District Raigarh, (Chhattisgarh).
3. Sub Divisional Officer, Kharsiya, District Raigarh (Chhattisgarh).
4. Tahsildar And Departmental Enquiry Officer, Kharsiya, District Raigarh (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Raghvendra Pradhan, Advocate
For Respondents-State	:	Shri Satish Gupta, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****17/04/2017**

1. Petitioner is aggrieved by non-supply of documents and non-affording of opportunity to cross-examine the witnesses.
2. On perusal of the order-sheets of the enquiry proceedings it would appear that the petitioner applied for some documents, which were not available nor were part of the document relied by the enquiry officer. Similarly, when the witnesses appeared for examination, the petitioner refused to examine them and sought adjournment of the case, which was not accepted and the witnesses were examined, therefore, it is a case where the petitioner was

granted opportunity to cross-examine, but he did not avail the same, therefore, it is not a case where the petitioner was outrightly denied any opportunity to cross-examine the witnesses.

3. At present the enquiry officer is proceeding ahead in the matter, therefore, at this interim stage, no interference with the interim order passed by the CEO is called for, however, it will remain open for the petitioner to raise the issue in appeal, if any such eventuality arises.
4. Accordingly, the writ petition stands dismissed.

Sd/-

Judge
Prashant Kumar Mishra

Ashu