

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7024 of 2017**

Anam S/o Late Deena, Aged About 59 Years Caste Panigrahi, R/o Old Miners Quarter, Ward No. 5 Of The Municipal Corporation Chirimiri P. O. West Chirimiri Tah Baikunthpur, District Korea Chhattisgarh

---- **Petitioner**

Versus

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director, S E C L Head Quarters, Seepath Road, Bilaspur Tahsil And Civil ./ Revenue District Bilaspur Chhattisgarh
2. Director (Personnel) South Eastern Coalfields Limited, S E C L Head Quarters Seepath Road, Bilaspur Tahsil And Civil / Revenue District Bilaspur Chhattisgarh
3. Sub Area Manager, N C P H Sub Area Of The Chirimiri Area Of S E C L P. O. Haldi Bari, Tahsil Khadgawan, Civil & Revenue District Korea Chhattisgarh

...**Respondents**

For Petitioner	:	Mr. Suryapratap Singh, Advocate
For Respondents	:	Mr. Shailendra Kumar Shukla, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12.12.2017

Heard.

1. The challenge to the impugned notice in the petition is mainly on the ground that the notice is absolutely vague and does not contain any detail. There are no list of document, list of witnesses and it cannot be said to be a charge-sheet against the petitioner and with this kind of notice, the petitioner cannot be subjected to departmental enquiry.
2. At the outset, learned counsel for respondent-SECL appearing in this case submitted that the respondent-SECL would be issuing a detailed charge-sheet with the articles of charges, statement of allegations, list of documents and witnesses, by which, the charges are proposed to be proved and only on

the basis of the impugned charge-sheet, further proceeding shall not be drawn.

3. In the considered opinion of this Court, this statement made, at the bar, by the counsel for respondent-SECL is sufficient to protect the petitioner against an arbitrary action of holding departmental enquiry on undisclosed charges under the notice impugned in this petition.
4. Learned counsel for the petitioner submits that he may be given liberty to challenge further departmental action on such ground as may be available to him under the law.
5. It goes without saying that the petitioner has any grievance against detailed charge-sheet, if any issued in future, it will always be open for the petitioner to challenge the same in accordance with law.
6. In that view of the matter, the petition is disposed off placing on record the statement of the respondent-SECL with the clear direction that if the respondent-SECL intend to proceed in departmental enquiry against the petitioner, then shall issue a proper charge-sheet along with list of document and witnesses.

Sd/-

(Manindra Mohan Shrivastava)
Judge