

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.3701 of 2017

- Smt. Suman Chaturvedi W/o Shri V. K. Chaturvedi, Aged About 61 Years
Presently Posted As Accounts Officer In The Office Of The Senior Account
Officer 1x500 M. W. Extention Stag-III, Chhattisgarh State Power Generation
Company Ltd. Korba West, District Korba Chhattisgarh.

---- Petitioner

Versus

1. C. S. P. G. C. L. Through Managing Director (Generation) Vidyut Sewa Bhawan
Daganiya Raipur Chhattisgarh.
2. Executive Director (Generation), C. S. P. Generation Company Vidyut Sewa
Bhawan Daganiya Raipur Chhattisgarh.
3. Chief Engineer (Human Resources), C. S. P. G. C. L. Shed No. 3, Vidyut Sewa
Bhawan Daganiya Raipur Chhattisgarh.
4. Executive Director (Generation), C. S. P. G. C. L. Prakash Bhawan, Korba
Chhattisgarh.
5. Ku. Suman Yadav, Senior Account Officer, 1x500 M. W. Extention Stag-III,
Chhattisgarh State Power Generation Company Ltd. Korba West, District Korba
Chhattisgarh.

---- Respondents

For Petitioners : Shri Sushobhit Singh, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/08/2017

Heard on admission.

2. This petition has been filed by the petitioner assailing proceedings of enquiry
report by submitting that the at the time, when the petitioner wanted to retire from
service by submitting an application, at the behest of respondent No.5, enquiry is
initiated against the petitioner by giving her charge sheet and the charge sheet
enclosed list of documents and witnesses. Reply of the petitioner was obtained and
she was also examined. Thereafter, enquiry report has been prepared and the same
has been forwarded to the petitioner by the Chief Engineer seeking petitioner's reply to

the enquiry report. He submits that the manner, in which, the enquiry has proceeded, it is clear that the Chief Engineer has already made up his mind to impose penalty on the petitioner. Therefore, in these circumstances, the petitioner has filed this petition.

3. The communication dated 01/08/2017 clearly shows that the Chief Engineer-disciplinary authority has not taken any decision in the matter. He has simply forwarded the enquiry report to the petitioner to submit her reply. The petitioner may raise all the grounds, which are available to her and raised in this petition also to impeach the credibility of the enquiry report. Thereafter, the competent authority may take decision in the matter. In case, decision is taken against the petitioner, she would have cause of action.

4. This petition at this stage is pre-mature, because this petition is preferred only against the notice requiring petitioner's reply and nothing more. Allegations leveled against the respondent No.5 would not vitiate proceedings, because there is no allegation of specific material against the Chief Engineer-disciplinary authority.

5. With the aforesaid observation, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
J U D G E