

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 6171 of 2017**

Sonaw Sahu S/o Somaru Sahu, Aged About 58 Years R/o Q. No. 37/1, New Mines, Bartunga, Chirmiri Colliery, Thana Chirmiri, Distt. Koriya

**---- Petitioner**

**Versus**

1. South Eastern Coalfield Ltd. Through Its Chairman-Cum- Managing Director, Seepat Road, Bilaspur Chhattisgarh.
2. Mining Manager, Bartunga Hill Mines, S E C L Bartunga Hill Mines, Colliery Chirmiri, Distt. Koriya Chhattisgarh
3. Senior Manager ( Personnel )/mines Manager, Chirmiri Colliery, South Eastern Coal Ltd. Distt. Koriya Chhattisgarh
4. Deputy Regional Manager Chirmiri Colliery, South Eastern Coal Ltd. Post Chirmiri Colliery, Distt. Koriya Chhattisgarh

**---- Respondents**

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Shri Parag Kotecha, counsel for the petitioner/s.  
Shri V.R.Tiwari, counsel for respondents on advance copy.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**20/11/2017**

Learned counsel for the parties jointly and fairly submit that this petition can be disposed off in terms of common order passed in WPS No.4099/2017 and batch of petitions.

Accordingly, following order is passed -

1. The challenge to the impugned notice in this petition is mainly on the ground that the notice is absolutely vague and does not contain any detail. There are no list of documents, 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 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 proceedings shall not be drawn.

3. In the considered opinion of this Court, the 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. In that view of the matter, this 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 they shall issue a proper charge-sheet along with list of documents and witnesses. This petition is accordingly disposed off.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**