

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1787 of 2017**

- Sukhan Sai Sidar S/o Gotha Ram Sidar Aged About 52 Years R/o Village Rudukela, Tahsil Lailunga, P.S. Lailunga, 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. In-Charge Officer, Land Record Branch Raigarh, District- Raigarh, Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Mr. R. Pradhan, Advocate
Mr. Y.S. Thakur, Addl. AG

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****17/4/2017**

1. Heard.
2. The petitioner has prayed for a direction to the respondent authorities to supply the documents as applied vide Annexure P/5 & P/6, and thereafter, allow the petitioner to file reply to the show cause notice of the departmental enquiry and also allow the petitioner to cross-examine the witnesses.

3. In a similar writ petition i.e. WPS No.1774 of 2017, which has been decided today, the allegations are similar in nature. The present petitioner and the petitioner of the aforesaid writ petition are both Patwari within the same sub-division and are facing similar allegations.
4. It is argued that the petitioner's prayer for supply of the documents has been refused by the respondent authorities on the ground that the documents are not available and they have neither been allowed to take disciplinary action against the petitioner.
5. In respect of opportunity of cross-examination, the petitioner had made prayer for adjournment, which was denied and the enquiry officer proceeded to examine the witnesses. Therefore, it is not a case where no opportunity to cross examine was allowed to the petitioner. If the petitioner fails to avail the opportunity, he is to blame himself.
6. At present, the enquiry officer is proceeding ahead in the matter, therefore, at this stage, no interference in the departmental enquiry is called for, however, it will remain open for the petitioner to raise the issue in appeal, if any such eventuality arises.
7. Accordingly, the writ petition stands dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)