

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 170 of 2017

P.K. Sharma S/o Late Rajaram Sharma, Aged About 58 Years Presently Working As Deputy General Manager, Chhattisgarh State Antyavasai Sahakari Vitta Evum Vikas Nigam, B-9, Sector-5, Devendra Nagar, Raipur, Chhattisgarh, R/o Sarkanda Bilaspur, P.S. Sarkanda, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. Emil Lakra Managing Director, Chhattisgarh State Antyavasai Sahakari Vitta Evum Vikas Nigam, B-9, Sector-5, Devendra Nagar, Raipur, Chhattisgarh
2. Ambalgan P. Collector, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondents

Ms. Naushina Ali and Shri Ajay Kumrani, counsel for the petitioner/s.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/04/2017

This contempt petition has been filed alleging willful disobedience of order dated 27/06/2016 passed in WPS No.2359/2016 that despite clear direction of this Court to consider petitioner's application for supply of documents and pass speaking order, respondents have proceeded with the enquiry.

2. After going through the records and documents placed on record, I do not think that any contempt has been committed. At the stage, when the petitioner had earlier approached this Court, even the charge sheet was not issued and only show cause notice, in preliminary enquiry, was given to the petitioner by way of abundant caution. This Court passed an order in the context of departmental enquiry that may be made. It is not in dispute that much after passing of order by this Court, charge sheet has been issued to the petitioner stating charges, imputations of misconduct along with list of documents and witnesses.

3. The occasion for supply of documents, obviously, will arise only when the enquiry officer is appointed and the enquiry begins, governed by Rules of departmental enquiry. The order passed by this Court can be pressed into service before the enquiry officer while seeking supply of documents including documents relied upon by the prosecution and any other document which the petitioner may think necessary for his effective defence after the prosecution has submitted its evidence.

4. With the said observation, this contempt petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge