

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 756 of 2018**

Abhi S/o S/o Ulla, Aged About 57 Years R/o Ward No. 15, Heeragir Dafai, Haldibadi, NCPH Colliery, Chirimiri, P. O. Haldibadi, Tahsil Khadgawan And District Korea, Chhattisgarh.

---- Petitioner

Versus

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

---- Respondents

For Petitioner	:	Mr. Surya Pratap Yuddhveer Singh, Advocate.
For Respondents/ SECL	:	Mr. Shailendra Shukla, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/01/18**

Heard.

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 appearing in this case submits 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 the 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, this petition is disposed of 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 documents and witnesses.

SD/-
(Sanjay K. Agrawal)
Judge