

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.7524 of 2017**

Sukhdev, S/o Shri Budhiya, aged about 46 years, presently working as Explosive Majdoor, at Bartunga Colliery OCM, R/o House No.L/128, Cheap House, Bartunga, Chirimiri Korea, District Korea (CG).

---- Petitioner**Versus**

1. South Eastern Coalfields Limited through its Chairman cum Managing Director, Seepat Road, Bilaspur (CG).
2. General Manager, South Eastern Coalfields Limited, Malviya Nagar, West Chirimiri Colliery, District Korea(CG).
3. Sub/Deputy Area Manager, South Eastern Coalfields Limited, Bartunga Colliery, Chirimiri District Korea (CG).
4. Deputy Chief Personnel Manager, South Eastern Coalfields Limited, Bartunga Colliery, Chirimiri District Korea (CG).
5. Satyapujan Mishra, S/o late Shri Shankar Mishra, R/o Shiv Mandir Bafai, Korea Colliery, Choki Koriya, P.S. Chirimiri Korea, District Korea (CG).

--- Respondents

For Petitioner : Mr. Waquar Naiyer, Advocate
 For Respondents : Mr. Vinod Deshmukh, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

01/02/2018

(1) This writ petition has been filed by the petitioner seeking quashment of the charge sheet dated 18.12.2017 issued to the petitioner stating that the charge-sheet is absolutely vague inasmuch as no relevant documents and list of witness have been annexed with the charge-sheet and there is no prima facie evidence of the charge being made out.

(2) Learned counsel appearing for the petitioner would submit that no prima facie charge is made out in the charge-sheet and the same is absolutely vague and therefore it is liable to be quashed.

(3) Learned counsel for the respondent would oppose the submission made by the learned counsel for the petitioner.

(4) I have heard learned counsel for the parties and perused the record with utmost circumspection.

(5) A careful perusal of the record would show that a charge-sheet has been issued to the petitioner on the ground that he has obtained employment on the basis of playing fraud by changing his father's name. The petitioner has denied the allegations levelled against him. The gravity of the charge itself is an issue which could be adjudicated only upon conducting a due departmental enquiry. The petitioner will be granted fullest opportunity to defend his case before the Inquiry Officer to show and prove his innocence. The petitioner is at liberty to adduce evidence and he is also at liberty to file reply to rebut the charges.

(6) In view of above, I do not find any merit in the present writ petition, it deserves to be and is accordingly dismissed with above-stated observation. However, the petitioner is at liberty to take all possible legal objection/lead evidence in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-