

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 3443 OF 2018**

• Kusia, S/o Bheekha, aged about 55 years, presently working as Coal Dresser, at R-6 Mines, N.C.P.H. Colliery, Chirimiri, R/o Ward No. 15, Hiragir Dafai, Haldibadi, Chirimiri, Dist. Korea (C.G.) ... **Petitioner**

versus

1. South Eastern Coalfields Ltd., through its Chairman cum Managing Director, Seepat Road, Bilaspur (C.G.)

2. General Manager, South Eastern Coalfields Ltd., West Chirimiri Colliery, District Korea (C.G.)

3. Sub/Deputy Area Manager, South Eastern Coalfields Ltd., N.C.P.H. Colliery, Chirimiri, District Korea (C.G.)

4. Deputy Chief Personnel Manager, South Eastern Coalfields Ltd., N.C.P.H. Colliery, District Korea (C.G.) ... **Respondents**

For Petitioner : Mr. Waquar Nayyer, Advocate.

For Respondents : Mr. Vaibhav Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/05/2018

1. Challenge in the present writ petition is to the vagueness of the charge levelled against the Petitioner vide charge-sheet dated 6.1.2018 on the following charge:

“You have conducted fraud with the company by getting employment with the company impersonating yourself as Kusia S/o Bheeka on the basis of fake and fabricated documents. Your real name is Sukru, and you have got employment fraudulently by declaring your uncle Bheeka as your father.”

2. Learned Counsels for the parties jointly submit that the issue involved in the instant case can be disposed of in the light of the order passed by this Court in WPS No. 3061 of 2018 decided on 16.4.2018.

3. In the light of the submission made by the learned Counsels appearing for the parties, the present writ petition also stands disposed of in similar terms that of the order dated 16.4.2018 passed in WPS No. 3061 of 2018. It is expected that the observations made by the Hon'ble Supreme Court in **The State of Punjab v. Bhagat Ram, 1975 (1) SCC 155**, shall be

borne in mind by the Enquiry Officer as also by the Presenting Officer in the course of enquiry.

4. The writ petition stands disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge

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