

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7392 of 2017**

Bauri S/o Vishnu, Aged About 59 Years Presently Working As Support Mistery At Bartunga Hill Mini U. G. Chirmiri, R/o Ward No. 26 Korea Line, Quarters 229, Bartunga, Chirmiri, Korea, District Korea Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfields Ltd., Through its Chairman Cum Managing Director, Seepat Road, Bilaspur Chhattisgarh.
2. General Manager, South Eastern Coalfield Ltd., Malviya Nagar, West Chirmiri Colliery, District Korea Chhattisgarh.
3. Sub/Deputy Area Manager, South Eastern Coalfield Ltd., Bartunga Colliery, Chirmiri District Korea Chhattisgarh.
4. Deputy Chief Personnal Manager, South Eastern Coalfield Ltd., Bartunga Colliery, Chirmiri, District Korea Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Waquar Naiyer, Advocate
For Respondents	:	Mr. H.B. Agrawal, Sr. Advocate along with Mr. Vinod Deshmukh, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/04/2018**

1. The challenge in the present writ petition is the charge-sheet dated 13.12.2017. The objection raised by the petitioner in the present writ petition is that the respondents are proceeding with the inquiry in an arbitrary manner without granting any opportunity of hearing to the petitioner.
2. This Court while entertaining the writ petition on 10.01.2018, had permitted the respondents to continue with the departmental enquiry, but no final order was to be passed without the leave of the Court.
3. Today when the matter is taken up, the counsel for the respondents submits that, as per the order dated 10.01.2018; the inquiry officer

has proceeded with the inquiry and has also submitted the inquiry report to the disciplinary authority. The allegation in the instant case is that the petitioner has obtained the employment by playing fraud with the respondents in as much as he has not disclosed the correct name of his father while getting the employment and has got employment by reflecting the name of some other person as his father.

4. Given the nature of charges leveled against the petitioner and the charge sheet issued and also the inquiry proceedings have been concluded, wherein the petitioner also has participated. Moreover the petitioner during the pendency of the writ petition has also crossed the age of superannuation, it would be necessary that ends of justice would be served, if the writ petition itself is disposed of with a direction that subject to the petitioner being provided a copy of inquiry report by the disciplinary authority, he shall be granted an opportunity to show cause on any proposed action to be initiated which again shall be questionable before the appropriate forum, if the petitioner is still aggrieved by the decision of the disciplinary authority.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge