

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5933 of 2018**

1. Kamini Dubey D/o Shri Devi Prasad Dubey Aged About 35 Years
R/o Kargi Road Kota, District- Bilaspur, Chhattisgarh
2. Ravindra Kumar Kulmitra S/o Shri Banwarilal Kulmitra Aged About
35 Years R/o Village- Vicharpur, Tahsil- Lormi, District- Mungeli,
Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of
Cooperative Societies, Mahanadi Mantralaya, Naya Raipur, Post
Office And Police Station Naya Raipur, District : Raipur,
Chhattisgarh
2. Registrar Co-Operative Societies, Chhattisgarh, Naya Raipur, Post
Office And Police Station Naya Raipur, District- Raipur,
Chhattisgarh.
3. District Cooperative Central Bank Limited Bilaspur, Through Its
Chief Executive Officer, District Cooperative Central Bank Limited,
Nehru Chowk, Bilaspur, District : Bilaspur, Chhattisgarh

----Respondents

For Petitioners	:	Mr. Goutam Khetrapal, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer
For Respondent No.3	:	Mr. Jitendra Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/09/2018**

1. The grievance of the petitioners is that though the respondent No.3
has initiated a disciplinary proceeding against the petitioners so far
as their original order of appointment is concerned, which according
to the respondent No.3 was obtained by playing fraud.
2. The only prayer of the petitioners is that while replying to the show
cause notice, the petitioners had sought for certain documents,
which till date has been denied by the respondent No.3.
3. According to the petitioners, Annexure P/3 dated 09.08.2017 has
now been issued calling for a personal hearing before providing

those documents, particularly when they would be using these very documents against the petitioners.

4. This Court is not inclined to substitute itself as a Disciplinary authority or for that matter as an inquiry officer. However it is observed that once when the respondents have initiated disciplinary action against the petitioners, it is expected that they shall follow the principles of fair play and reasonableness i.e. reasonable opportunity of defense would be given to the petitioners to defend their case.
5. In case if the respondents are relying upon certain documents which they have collected against the petitioners and are being relied upon, in the disciplinary proceedings, the said documents are supposed to be provided to the petitioners.
6. The petitioners are also required to cooperate in the disciplinary proceedings at the same time the respondents also would ensure that necessary and relevant documents, which are being relied upon by the respondents against the petitioners is made available to the petitioners during the enquiry.
7. With the aforesaid observation, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge