

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5995 of 2018

1. Dhan Singh Rajak S/o Shri Sewakram Rajak, aged about 32 years, R/o village Devermal, Chowki Urga, District Korba (C.G.).
2. Premlal Rajput S/o Late Shri Mahettar Ram Rajput, aged about 36 years, R/o village Lamti, Post Batra, Block Patharia, District Mungeli (C.G.).

---Petitioner

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 petitioner	:	Shri Kapil Maini, Advocate.
For respondent No.3	:	Shri Jitendra Shrivastava, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam KoshyOrder on Board12/09/2018

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, a notice dated 02.08.2018 has 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 participate and 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