

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2223 OF 2019**

1. Mansingh S/o Aasharam Aged About 60 Years Explosive Carrier, Jhiriya, U.G. Hasdeo Araa, Secl, District Korea Chhattisgarh.

...Petitioner(s)**Versus**

1. South Eastern Coal Field Limited Through General Manager, Secl Head Quarter, Seepat Road, Bilaspur, District Bilaspur Chhattisgarh.
2. Director Personal, South Eastern Coal Field Limited, Bilaspur, District Bilaspur Chhattisgarh.
3. Sub Area Manager Hasdeo Ram Nagar, District Korea Chhattisgarh.
4. Koylari Manager Jhiriya, Hasdeo Area, District Korea Chhattisgarh.s
5. Inquiry Officer Up Prandhan Khanan, Khiriya U.G. Mines, District Korea Chhattisgarh.
6. Mines Superintendent / Manager, Jhiriya U.G. Mines, District Korea Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Awadh Tripathi, Advocate.
For Respondents	:	Shri Vaibhav Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28.03.2019**

1. Challenge in this petition is to the charge sheet and the departmental enquiry initiated against the petitioner.
2. The allegation against the petitioner is that, the petitioner who has obtained employment with the respondents in the name of Mansingh is not Mansingh, but is a different person namely Rama S/o Bachhu.
3. The ground of challenge of the enquiry proceedings is that the petitioner had repeatedly requested the authorities concerned including the enquiry officer to call upon the complainant to be examined in the departmental enquiry which the respondents have refused. The relevant documents also have not been provided to the petitioner during the course of enquiry or at the time of issuance of charge sheet. The petitioner was not provided list of witnesses also.

4. Having heard the counsel for the petitioner, this court is not inclined to entertain the writ petition firstly for the reason that charge sheet was issued three years back on 01.03.2016 and the present petition now is being filed in March, 2019. Thus, no strong case is made out for interfering with the charge sheet that was issued three years back.
5. So far as non calling of the complainant, non granting of relevant documents as also not providing list of witnesses are concerned, this court is of the opinion that the enquiry it appears that has already been concluded and the petitioner has been called for his explanation, therefore, the petitioner would be at liberty to make a detailed submission before the competent authority in respect of all his grievances which the authorities would look into and thereafter pass a suitable order in accordance with the service conditions governing the field.
6. The writ petition at this juncture accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge