

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6478 of 2019**

Ganesh Lal Soni S/o - Late Shri Tejnath Soni Aged About 55 Years
Occupation Serviceman (Category Ii), Dipka Expansion Project,
South Eastern Coalfield Limited, Resident Of Quarter No M.D. 791,
Dipka Colony, Police Station Kusmunda, District Korba
Chhattisgarh, District : Korba, Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfield Limited Through Chairman Cum Managing Director (Cmd), Head Quarter At Seepat Road Bilaspur District Korba Chhattisgarh, District : Korba, Chhattisgarh
2. The General Manager, Dipka Area, South Eastern Coalfield Limited, South Eastern Coalfield Limited, Tehsil Kathghora District Korba Chhattisgarh, District : Korba, Chhattisgarh
3. The Chief Project Officer, Dipka Expansion Project, South Eastern Coalfield Limited, Tahsil Kathghora, District Korba Chhattisgarh, District : Korba, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Vikram Sharma, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2019**

1. The present writ petition has been filed seeking for an appropriate direction to the respondents for an early conclusion of the departmental enquiry initiated against two of the charge-sheets dated 08.02.1995 and 17.11.1999.
2. The counsel for the petitioner submits that it is by now almost 20 years that the petitioner has been facing a departmental enquiry and vide Annexure P/14 dated 15.04.2019 he has been intimated that since the records are not available with the respondents, the inquiry could not be proceeded further and subsequent developments would be intimated to the petitioner in due course.

3. Subject to the verification of the aforesaid facts in case if the contention of the petitioner is accepted then 20 years is a very long time for any departmental enquiry to be concluded. Non-availability of the records should not be a ground for holding back the departmental enquiry against the petitioner who is in employment. The petitioner submits that he has been denied the benefit of promotion repeatedly because of pendency of the departmental enquiry and which is getting prolonged not for any reason or fault on the part of the petitioner.
4. Under the circumstances, this Court is compelled to dispose of the writ petition at the motion stage directing the respondents No. 2 & 3 to take appropriate steps in ensuring that the departmental enquiry pending against the petitioner is concluded at the earliest preferably within a period of 6 months from the date of receipt of the copy of this order, failing which the respondents should accept the responsibility of being unable to conclude the departmental enquiry and should take steps for dropping the entire departmental enquiry which was initiated more than 20 years back entailing the petitioner the consequential benefits.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge