

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9750 of 2019**

- Kanhaiyalal Jaiswal S/o Sukhru Lal Jaiswal Aged About 44 Years R/o MQ 6/75, Bagdeva Colony, Dhelwadih, (S.E.C.L.) Post Office Dhelwadih, (Katghora), District Korba Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director, Head Office Basant Vihar, Seepat Road, Bilaspur Chhattisgarh
2. Chief General Manager S.E.C.L. Ltd. Dipka, Project, District Korba Chhattisgarh
3. Senior Manager (Mining, South Eastern Coalfields Limited) Dipka Project, Korba, Area, District Korba Chhattisgarh
4. Senior Officer (Ka / Pra.), Bagdeva Bhoomigat Khan, S.E.C.L. Korba, District Korba Chhattisgarh

---- Respondents

For Petitioner	:	Shri G.R. Miri, Advocate with Shri Basant Kaiwartya, Advocate
For Respondents/State	:	Ms. Binu Sharma, PL
For Respondents/SECL	:	Shri V.R. Tiwari, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/11/2019**

1. Heard.
2. The grievance of the petitioner is that the allegations were made against the petitioner that petitioner has obtained the job in lieu of the acquisition of land of one Balkrishna Jaiswal and on the basis of the forged documents the employment was obtained. This led to a departmental enquiry and the report

having been made to the Police, the statement was given by Balkrishna Jaiswal that no forgery has been committed the said version was supported by the other witnesses also. In the separate departmental enquiry conducted in the colliery since Balkrishna Jaiswal breathed his last, his brother Omprakash Jaiswal and other witnesses have stated that the petitioner has not obtained any job on the basis of the forged documents as he is the son in law of the land oustee Balkrishna Jaiswal, therefore, in this context the entire departmental enquiry becomes a futile procedure. Consequently, it should be quashed.

3. I have heard learned counsel for the petitioner and perused the documents.
4. After perusal of the record attached with this petition shows that in the earlier round of litigation in WPS No.4099 of 2017 wherein the petitioner was also party this Court vide order dated 30.10.2017, had given liberty to the SECL to proceed with the departmental enquiry, already started, consequent thereto the departmental enquiry was proceeded, as has been stated, wherein the witnesses stated in favour of the petitioner, as per the documents filed along with the petition. The copy of the statements of the departmental enquiry of Omprakash Jaiswal, Dinesh Kumar Jaiswal, Rahul Jaiswal is on record, therefore, the departmental enquiry being in the mids, the SECL is directed to conduct and complete the departmental enquiry within a period of 4 months from the date of receipt of the copy of this order.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge