

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5455 of 2021**

1. Smt. Balkunwar W/o Late Madhoram, Aged About 53 Years Posted At General Mazdoor, Category- I, (Grade III), Regional Head Quarter, Vishrampur District Surajpur (Chhattisgarh) NEIS Number 24902726

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur, District Raipur Chhattisgarh,
2. The Collector, Surajpur, District Surajpur Chhattisgarh,
3. The Nyab Tahsildar, Pilkha Area, Vishrampur, Tahsil And District Surajpur Chhattisgarh.
4. General Manager, SECL, South Eastern Coal Fields Limited, Vishrampur Area, Post Vishrampur Colliery, District Surajpur Chhattisgarh.
5. Regional Personal Manager, South Eastern Coal Fields Limited, Vishrampur Area, Post Vishrampur Colliery, District Surajpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A.K. Prasad Advocate.
For State/Res. No. 1 to 3	:	Ms. Abhyunnati Singh, P.L.
For Respondents No. 4 & 5	:	Mr. Vinod Deshmukh, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08.10.2021**

1. Aggrieved by the initiation of the disciplinary proceedings by the respondents No. 4 & 5, the present writ petition has been filed.
2. According to the petitioner, she is substantively an employee under the respondents No. 4 & 5. The petitioner was issued with a charge-sheet on 06.08.2021. The allegation against the petitioner is that the petitioner has

obtained employment by playing fraud. The grievance of the petitioner is that after the charge-sheet was issued on 06.08.2021, the petitioner moved an application for grant of documents with which the petitioner could effectively submit her reply and along with the application, she has also submitted a tentative reply.

3. Counsel for the petitioner apprehends that the department may use documents, which are not provided to the petitioner, against her in the course of finalization of the departmental enquiry and which would be in violation of principal of natural justice.
4. Learned counsel for the respondents No. 4 & 5 however submits that the petitioner would be entitled for only those documents which shall be used by the department in the departmental enquiry against the petitioner and which the respondents are bound to provide.
5. Given the said submission made by the counsel for the respondents No. 4 & 5, this Court is of the opinion that the nothing further remains to be adjudicated upon in the present writ petition. Therefore, the writ petition at this juncture is disposed of with an observation that any document which the respondents shall be using against the petitioner in the departmental enquiry, he would be entitled for a copy of the same for an effect in defence which the petitioner can take in the course of enquiry. Accordingly, as and when the department shall be using or producing any document against the petitioner in the enquiry, the same shall be provided to the petitioner also. The petitioner also is expected to render full cooperation in the conclusion of the departmental enquiry.
6. The present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge