

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.577 OF 2021

Ramchandra S/o Rampati Chauhan, Post Lalpeth, Chandrapur

-VS-

The Western Coalfields Ltd. Thr. Director (Personnel), Civil Lines, Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Roshan R. Prajapati, Advocate for petitioner.
Shri O. A. Ghare, Advocate for respondent Nos.1 and 2.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI JJ.

DATE : April 10, 2023

The petitioner who was engaged as Under Ground Loader with the Western Coalfields from 05/06/1991 had been issued a charge-sheet under Clauses 26.9 and 26.22 of the Standing Orders while in service. The petitioner superannuated on 30/06/2019. Since he has not been paid retiral benefits, the present writ petition has been filed.

In the additional affidavit filed by the respondents, it has been stated that on 26/11/2022 the Disciplinary Authority was pleased to pass an order of punishment thereby terminating services of the petitioner from 30/06/2019 on the ground of moral turpitude.

In the light of this order dated 26/11/2022, it would be necessary for the petitioner to challenge the same to support his prayer for grant of retiral benefits. As long as this order operates, no relief can be granted to the petitioner in this writ petition. Hence with liberty to the petitioner to challenge the order dated 26/11/2022 passed by the respondents by invoking appropriate jurisdiction, the writ petition is disposed of. It is made clear that this Court has not examined the entitlement of the petitioner to his retiral benefits and said aspect is kept open. No costs.