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21.11.2025
Ct. No. 02
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WPA 29546 of 2024
IA No. CAN 1 of 2025

Mukesh Kumar
Vs.
Coal India Limited & Ors.

Mr. Mukesh Kumar
... Petitioner (in person)

Mr. Susanta Pal
Mr. Pradipta Basu
Ms. Madhumanti Chakraborty
...for the respondents

1. Application being CAN 1 of 2025 along with main writ petition being WPA 29546 of 2024 are taken up for consideration in presence of the petitioner who is appearing in person and the learned advocate representing the respondents.
2. Disciplinary proceeding was initiated against the petitioner who is working as Manager (Security) HQ, Eastern Coalfields Limited by issuing charge sheet dated 2nd June, 2022. Today, enquiry proceeding is complete and it is submitted that 2nd show cause notice has been issued against the petitioner indicating proposed punishment. 2nd show cause notice was issued on 1st September, 2025 but it is submitted by the petitioner who is appearing in person that reply to 2nd show cause notice

dated 1st September, 2025 is yet to be submitted.

3. Having considered the submissions made on behalf of the parties and on perusal of record it appears that the writ petition was filed on 10th December, 2024 when enquiry was not concluded, enquiry was concluded on 20th June, 2025. Subsequently, application being CAN 1 of 2025 was filed on 4th August, 2025 by the petitioner alleging that in spite of request was made to the enquiry officer to permit the petitioner to adduce additional evidence and examine other witnesses same was not permitted requiring consideration of these materials by the enquiry officer at this stage.
4. Having considered the prayer made in the application Court has posed query to the petitioner whether before completion of enquiry proceeding enquiry officer was requested by him by submitting representations in order to permit him to rely upon additional materials. Court does not get satisfactory reply and no such representation/application is produced before this Court in order to substantiate that before completion of enquiry proceeding enquiry

officer was accordingly requested to permit the petitioner to rely upon additional materials.

5. Today, it is found that enquiry was concluded on 20th June, 2025 and 2nd show cause notice was issued on 1st September, 2025. Therefore, in absence of cogent reasons this Court does not find it fit to direct disciplinary authority to revive the enquiry proceeding. As it is submitted by the petitioner that till date reply to 2nd show cause notice dated 1st September, 2025 is not filed before the disciplinary authority time to submit reply to the 2nd show cause notice stands extended by fortnight from date.
6. Petitioner shall also be at leave to highlight in his reply to the 2nd show cause notice that there was requirement so far enquiry officer was concerned to permit him to rely upon additional materials.
7. On receipt of reply to 2nd show cause notice disciplinary authority shall decide the same in accordance with law and decision shall be taken for ensuring due compliance of natural justice in the matter of initiating disciplinary proceeding against the petitioner.

8. Accordingly, writ petition and connected application being CAN 1 of 2025 are disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)