

34.
(DL)

19.01.2026
Ct. No. 02
(ARPAN)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 29741 OF 2025

**SANTA KUMAR CHOWDHURY
VS.
UNION OF INDIA & OTHERS**

Mr. Shyamal Sarkar, Sr. Adv.
Mr. Meghajit Mukherjee, Adv.
Mr. Rajesh Gupta, Adv.
Ms. Sweta Mohanty, Adv.
Ms. Sonia Das, Adv.

...for the Petitioner

Mr. Arabinda Sen, Adv.

...for the U.O.I.

Mr. Manik Das, Adv.

...for the Respondent Nos.2 to 7

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Supplementary affidavit filed on behalf of the petitioner, which was affirmed on 5th January, 2026, is also taken on record.
3. Matter is heard at length in presence of the learned advocates representing the petitioner, Union of India and Eastern Coalfields Limited (for short, 'ECL').
4. In the writ petition initiation of disciplinary proceedings against the petitioner based on charge-sheet dated 25th June, 2025, is under challenge. Petitioner has prayed for quashing of said charge-sheet dated 25th June, 2025.

5. Mr. Shyamal Sarkar, learned Senior Advocate representing the petitioner submits in reference to the imputations of misconduct which is at page 139 of the writ petition, that relevant documents in connection with charges levelled against the petitioner were not supplied to the petitioner during course of enquiry. It is also submitted that measurement book as referred to in imputation of misconduct, is one of the relevant documents which was not supplied in spite of prayer made by the petitioner before the Enquiry Officer.
6. In support of such contention, reliance is placed on a document at page 265 of the writ petition in order to buttress the case made out on behalf of the petitioner that despite request was made by the petitioner to supply relevant documents, same were not supplied.
7. Learned advocate representing the ECL has opposed the writ petition and has submitted upon drawing attention of this Court to a document at page 8 of the supplementary affidavit that inquiry proceeding was concluded on 8th November, 2025 and only petitioner was required to file defence statements for which time was extended.

8. Having heard the learned advocates representing the parties, it does not appear that during the inquiry proceeding, prayer was made by the petitioner before the Enquiry Officer to supply documents including measurement book as referred to in imputations of misconduct.
9. From the document at page 265 of the writ petition in connection with inquiry proceeding, it appears that one Swarup Kumar De, another charged officer, made a prayer for supply of measurement book entries for the 1st and 2nd R.A. Bills but same was denied to the said charged officer. However, from the said document, it does not appear that petitioner made any prayer for supply of measurement book entries.
10. It further appears that *vide* e-mail letter dated 4th January, 2026 which is at page 9 of the supplementary affidavit, though petitioner made a prayer for supply of relevant documents but same was after conclusion of inquiry on 8th November, 2025. Nothing is demonstrated that while responding to the charge-sheet dated 25th June, 2025, disciplinary authority was requested to supply documents.

11. In view of conclusion of inquiry proceeding on 8th November, 2025, at this stage, Court is not inclined to interfere with the charge-sheet dated 25th June, 2025 and the inquiry proceeding.
12. However, petitioner shall be at leave to raise the issue of non-supply of relevant documents while giving reply to the inquiry report which will be furnished to the petitioner if finding of the inquiry report is adverse to the interest of the petitioner.
13. Prayer of the petitioner to extend time to file defence statements stands extended by fortnight from date.
14. Since no affidavit is called for, the allegations contained in the writ petition are deemed not to have been admitted.
15. With the above observation, the writ petition stands disposed of.
16. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)