CGHC010007922017 2026:CGHC:43316

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5976 of 2017

- Ram Prasad S/o Late Shri Devsharan Aged About 48 Years R/o Haldibadi, Bagancha Dafai, Post Chirmiri, N C P H Colliery, Tehsil Khadgawan, District Koriya Chhattisgarh , Chhattisgarh

--- **Petitioner(s)**

versus

1. South Eastern Coalfields Limited Office Of Manager, N S P H Colliery, Old Mines, Post Haldibadi, District Koriya Chhattisgarh , Chhattisgarh
2. Personal Manager, N C P H Colliery Post Haldibadi, District Koriya Chhattisgarh , District : Koriya (Baikunthpur), Chhattisgarh
3. Enquiry Officer, N C P H Colliery, Post Haldibadi, District Koriya Chhattisgarh , District : Koriya (Baikunthpur), Chhattisgarh

--- **Respondent(s)**

WPS No. 3697 of 2020

- Ram Prasad, S/o Devsharan Aged About 45 Years Caste Gond, R/o Village Sundarpur, Village Panchayat, Katkona, Police Station Khadgawa, Tahsil Khadgawa, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---**Petitioner(s)**

Versus

1. South Eastern Coalfields Ltd. Through - Its Personal Manager S.E.C.L., N.C.P.H. Colliery Chirmiri Area, Post - Haldibadi, Civil And Revenue District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Area Personal Manager, S.E.C.L., Chirmiri Area, G.M. Complex West Chirmiri, Civil And Revenue District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
3. Chief General Manager, S.E.C.L., Chirmiri Area, G.M. Complex West Chirmiri, Civil And Revenue District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
4. The Superintendent Of Police, Koriya, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
5. The Station House Officer, Police Station Chirmiri, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
6. Shiva @ Shiv Prasad, S/o Late Devsharan, Aged About 58 Years Caste Gond, R/o Baganchha Dafai, Haldibadi, Tahsil And Police Station

Chirmiri, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

--- **Respondent(s)**

For Petitioner(s) in WPS No. 5976 of 2017	:	Ms. Sharmila Singhai, Sr. Advocate with Ms. Gayatri Sahu, Advocate.
For Petitioner(s) in WPS No. 3697 of 2020	:	Mr. Punit Ruparel, Advocate.
For respondents No. 1 to 3		Mr. Vinod Deshmukh, Advocate.
For respondents No. 4 and 5/State.		Mr. Luv Sharma and Mr. Rishabh Bisen, PL.

(Hon'ble Mr. Justice Narendra Kumar Vyas)

Order on Board

06/10/2026

1. The petitioner has filed Writ Petition (S) No. 5976 of 2017 under Article 226 of the Constitution of India alleging that respondent authorities issued memo dated 2-9-2017 to the petitioner alleging that in pursuance of the charge sheet dated 24-2-2017 (Annexure P/1) issued by the the respondents authority Mr. T.K. Dubey, was appointed as Enquiry Officer to conduct the enquiry against the petitioner, enquiry has been initiated and the petitioner was directed to appear before him along with relevant documents without providing charge sheet to him.
2. The record of the case would show that on 10-11-2017 this Court vide order dated stayed the enquiry proceedings by observing that without any articles of charges, statement of list of witnesses and documents, departmental enquiry has been initiated against the petitioner and directed that no further proceedings shall be drawn pursuant to the impugned order (Annexure P/1), till the next date of hearing.
3. Learned Sr. Advocate assisted by Ms. Gayatri Sahu, counsel for the petitioner would submit that action of the respondent authorities in not supplying the copy of the charge sheet along with all the documents and list of witnesses is bad-in-law. She would further submit that

before initiation of full fledged departmental enquiry, the respondent authorities neither issued any show cause notice or sought any explanation regarding using of fake name for obtaining employment in the SECL and directly issued the charge sheet which is arbitrary as well as hostile attitude of the respondent authorities and would pray for quashing of the impugned communication by which departmental enquiry has been initiated against the petitioner.

4. Respondents No.1 to 3 have filed their return in which they have annexed copy of charge sheet dated 24-2-2017 issued to the petitioner and also reply filed by the petitioner before the Enquiry Officer on 6-3-2017. It has been further contended by the respondents that on the factual matrix, contention raised by the petitioner is that no charge sheet was issued to him is far from truth and would pray for vacating the interim order as well as dismissal of the writ petition.
5. I have heard learned counsel for the parties and perused the record with utmost circumspection.
6. Considering the fact that the enquiry proceedings are pending since 10-11-2017 and near about nine years have elapsed and the copy of the charge sheet has also been submitted by the respondent authorities, as such interim order dated 10-11-2017 passed by this Court is vacated and it is directed that the Enquiry Officer shall complete the enquiry within an outer limit of six months from the date of receipt of a copy of this order, in accordance with principle of natural justice after giving proper opportunity of hearing and documents in which SECL intends to rely upon to be supplied the same to the petitioner. It is made clear that the petitioner will not adopt any delay tactics in enquiry proceedings as enquiry proceeding has already been started way back near about nine years in view of the stay order passed by this Court.
7. Accordingly, with the aforesaid observation and direction, WPS No. 5976 of 2017 is disposed of.
8. So far as Writ Petition (S) No. 3697 of 2020 is concerned, the petitioner has filed this Writ Petition claiming that in persuasion of his name, the petitioner in WPS No.5976 of 2017 secured employment and has also

prayed for continuation of enquiry expeditiously.

9. Since this Court has already directed for continuation of enquiry proceedings in Writ Petition No. 5976 of 2017, present Writ Petition (S) No. 3697 of 2020 has become infructuous as the grievance of the petitioner in WPS No. 5976 of 2017 has already been considered by this Court.

10. Accordingly, WPS No. 3697 of 2020 is disposed of as having become infructuous. Pending interlocutory applications, if any, shall also stand disposed of.

11. It is made clear that this Court has not commented on the merit of the case and it is for the Enquiry officer to examine the matter, in accordance with law.

Sd/-

(Narendra Kumar Vyas

JUDGE

RAVVA SATYANARAYANA RAJU

Digitally signed by RAVVA SATYANARAYANA RAJU
Date: 2026.10.07 18:54:05 +0530

Raju