

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 6841 of 2019

CORAM: HON'BLE DR. JUSTICE S. N. PATHAK

For the Petitioner : Mr. Manoj Tandon, Advocate
 Ms. Neha Bhardwaj, Advocate
 Mr. Adamya Kerketta, Advocate
 Mr. Piyush Kumar Roy, Advocate
 Ms. Ankita, Advocate
 For the Respondents: Mr. Gaurav Raj, AC to AAG

14/19.12.2023 Heard the parties.

Petitioner has assailed the impugned order on the following grounds:

- (i) The delay of 5 years in framing of chargesheet is sufficient ground for nullifying the entire departmental proceeding;
- (ii) It is a case of no evidence as not a single witness has been examined in the entire proceeding.
- (iii) The presenting officer has not supported contention of the State and he did not support the charge.
- (iv) The enquiry conducted prior to framing of charge i.e. preliminary enquiry has been made basis for holding petitioner guilty of charges, which is impermissible in the eyes of law.
- (v) Reply of the presenting officer who had not supported the charges framed against the petitioner has not been considered by the disciplinary authority.

Learned counsel submits that in view of aforementioned facts and circumstances, the impugned order is fit to be quashed and set aside.

Learned counsel for the State prays for some time to file reply of specific contention of learned counsel for the petitioner.

As prayed, put up this case on 29.01.2024.

(Dr. S.N. Pathak, J.)