

D/L 09
27.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 4252 of 2025

Samaresh Kumar & Ors.

Vs.

Deputy Director General, Mines Safety (Additional
Charge) Eastern Zone & Ors.

Mr. Shyamal Sarkar, Sr. Adv.

Mr. S. Sarkar

Mr. Ayan Dutta

Mr. Abhishek Jain

...for the Petitioners.

Mr. Ashok Prasad

...for the respondent nos. 1 & 2.

1. Affidavit of service filed in Court today is taken on record.
2. Leave granted to the learned advocate for the respondents to file *vakalatnama* in the department, prior to the next date of hearing.
3. Learned counsel appearing on behalf of the respondent nos. 1 & 2 seeks time to take instruction in the matter.
4. The writ petition revolves around an inquiry process initiated by the Deputy Director General, Mines Safety (Additional Charge) Eastern Zone being the respondent no. 1.
5. The petitioners challenge the jurisdiction of the authority who issued the show cause notice for initiating the inquiry. Violation of the principles of natural justice has been alleged.
6. The petitioners have been directed to file reply to the show cause without supplying the documents relied upon by the authority. The petitioners sought for the documents, but the same have not been supplied.
7. It is the specific case of the petitioners that, the authority is proceeding with a closed and pre-conceived mindset.

8. Provisions of the ***Mines Act, 1952, Mines Vocational Training Rules, 1966*** and ***Coal Mines Regulations, 2017*** have been relied upon.
9. To allow the learned advocate representing the respondent nos. 1 and 2 to come up with written instruction, hearing of the matter stands adjourned till **6th March, 2025**.
10. The respondents are restrained from proceeding any further with the inquiry proceedings till 13th March, 2025 or until further order, whichever is earlier.
11. Specific instruction shall be obtained by the learned advocate representing the respondents with regard to the jurisdiction of the person who initiated the inquiry proceeding and the reason as to why supporting documents are not being supplied to the petitioners despite request.

(Amrita Sinha, J.)