

# ORDER SHEET

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL – Cum – LABOUR COURT,  
JABALPUR (M.P.)

Date of Order of Proceeding	Order Or Proceeding with Signature of Presiding Officer	Remark
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Case No. CGIT/LC/R/67/2019

**Jay Prakash Jhariya V/S West Central Railway**

18.09.2024	<p>Matter taken up.</p> <p>None present from the side of workman.</p> <p>Mr. S.K. Gupta Advocate present for management. Closes management evidence.</p> <p>Heard argument of learned Counsel for management on preliminary issue which is as follows :-</p> <p><b><i>Whether, the departmental inquiry conducted against workman is just proper and legal ?</i></b></p> <p>The burden to prove this issue is on workman, he has not produced any evidence, hence held to have not discharged his burden. Management has filed authentic copies of inquiry papers. After having gone through the charges and inquiry proceedings as well inquiry report and punishment order, I do not find any illegality or irregularity regarding substance or procedure in the departmental inquiry. Holding the departmental inquiry just legal and proper, preliminary issue is answered accordingly.</p> <p>Following additional issues are framed :-</p> <ol style="list-style-type: none"><li><b><i>1. Whether, the charges are proved from the evidence in inquiry ?</i></b></li><li><b><i>2. Whether, punishment is proportionate to the misconduct proved ?</i></b></li></ol> <p>List on _____ for hearing on additional issues / final arguments. Parties are at liberty to file their affidavits if any on additional issues.</p> <p>Upload the order.</p> <p style="text-align: right;"><b>Presiding Officer</b></p>	
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