

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/89/2011
Mohd. Kareem V/S. SECL

21.07.2025	<p>Matter taken up.</p> <p>Learned Counsel Mr. Vivek Prakash Shrivastava and Mr. A. K. Shashi present for workman and Mr. Neeraj Kewat, Learned Counsel present for management heard both the sides on preliminary issue which is as follows:-</p> <p><i>Whether the departmental enquiry conducted against the workman is just legal and proper?</i></p> <p>Pleadings of the parties on this issue are that, according to the workman, he was offered appointment as General Mazdoor, Cat I. The departmental enquiry conducted was unjust and was conducted against him without observing the principles of natural justice. He was not given sufficient opportunity to defend himself. On the other hand, management has pleaded that the departmental enquiry was conducted legally and properly. The workman was given full opportunity to participate and defend himself he did participate in the enquiry. He produced his documents in evidence. He was granted opportunity to examine the management witnesses. The show cause notice was also issued to the workman by the disciplinary authority before awarding punishment.</p> <p>Both the sides have filed their affidavits as their Examination-in-chief and have been examined by their opposite sides. The enquiry papers have been filed by management in original.</p>	
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	<p>A perusal of the enquiry document shows that, the workman was issued a show cause on the charge sheet on 24.03.2003, he did file a reply to the charge sheet on 25.03.2003. He participated in the enquiry and produced his side of evidence. Copy of enquiry was also served on him and he was required to show cause why he not be punished and thereafter punishment order was passed. Hence, there appears no illegality or material irregularity causing prejudice to the workman in conducting enquiry. Accordingly, holding the departmental enquiry conducted just legal and proper, the preliminary issue is answered accordingly.</p> <p>Following other issues are framed:-</p> <p>(i) <i>Whether finding of the enquiry officer that charges are proved are perverse?</i></p> <p>(ii) <i>Whether the punishment order is proportionate to the charges proved?</i></p> <p>Parties are at liberty to file evidence in form of affidavits/documents strictly on this issue till or before date is fixed.</p> <p>List on 25.08.2025 for hearing.</p> <p>Upload this order.</p> <p>Presiding Officer</p>	