

# ORDER SHEET

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
JABALPUR (M.P.)

Date of Order of Proceeding	Order Or Proceeding with Signature of Judicial Member	Remark
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**Case No. CGIT/LC/R/40/2021**

**Satish Vishwakarma V/s. Western Coalfields Limited, Chhindwara (M.P.)**

06.01.2026

**Matter taken up.**

Learned Counsel Mr. Subodh Agrawal for Workman and Mr. Neeraj Kewat for Management are present.

Order on preliminary issued which is as follows -

*Whether the enquiry conducted against the workman is just, legal and proper?*

**Perused record.**

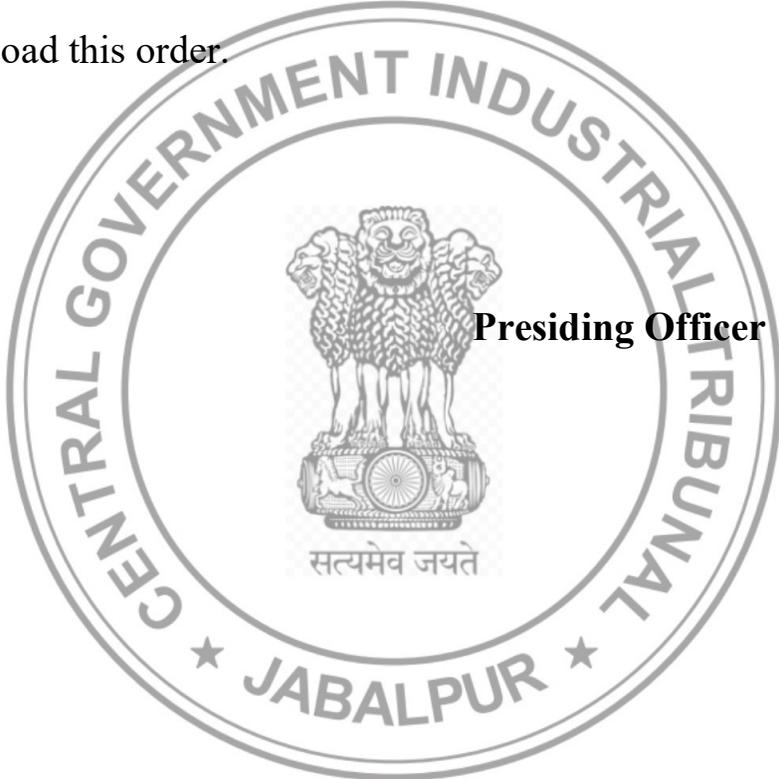
The only one point submitted against the illegality of the Departmental enquiry from the side of the Workman is that, the show cause notice which is stated to be issued by Management along with a copy of enquiry report by the Disciplinary Authority before awarding him punishment was issued on address where he was not living at that time.

Learned Counsel for Management has submitted that this address was orally disclosed by the Workman during the enquiry proceeding.

It comes out from perusal that except this show cause notice, all communications and intimations were communicated by Management to the Workman on his address mentioned in his service record except this Show Cause notice before awarding him punishment which was sent by Management on a different address which the Management side submits that it was disclosed by the Workman orally during the proceedings. The Workman side has denied this fact. There is nothing on record that this address on which the pre punishment show cause notice was sent by Management ever disclosed by Workman as it is evident from perusal of enquiry documents. Otherwise, perusal of enquiry documents reveals that the charge-sheet was issued by a Competent Authority, it was served on the Workman. He filed his reply on the charge-sheet. He participated in the enquiry and availed full opportunity to defend himself. Hence, I find no illegality or material irregularity with respect to substance of procedure in conducting the enquiry as regards the legal effect of passing punishment order without proper service of

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	<p>show cause notice, it may be looked into at the time of considering the legality of the punishment. Hence, holding the Departmental Enquiry legal and proper in the light of observations made, the preliminary issue is answered against the Workman.</p> <p><i>Following additional issues are framed –</i></p> <ol style="list-style-type: none"><li><i>1. Whether, the finding of the enquiry officer that the charges are proved are perverse?</i></li><li><i>2. Whether, the punishment order is legal and proportionate to the charges proved?</i></li></ol> <p>List on <b>04.02.2026</b> for hearing on additional issues.</p> <p>Upload this order.</p> <div data-bbox="422 927 1201 1706" style="text-align: center;"><p><b>Presiding Officer</b></p></div>	