

ORDER SHEET

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

Date of Order of Proceeding	Order Of Proceeding with Signature of Presiding Officer	Remark
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Case No. CGIT/LC/R/37/2019

Raju V/S S.E.C.L.

05.01.2026	Matter taken up. Learned Counsel Mr. O.P. Tiwari present for workman, Mr. Neeraj Kewat, Learned Counsel present for management. Heard on Preliminary issue, which is as follows:- <i>Whether the enquiry conducted against the workman is just, legal and proper?</i> Perused record. Case of the workman on preliminary issue is mainly that it was conducted without observing basic principles of natural justice and without giving him proper opportunity to defend himself, the whole proceedings of departmental enquiry is vitiated in law, is partial and malafide. Management has taken a case that the workman absented himself since 19.08.2013 without any intimation, permission or sanctioned leave. He was issued a charge sheet on 17.08.2015 with respect to misconduct by unauthorizedly and willfully absenting himself from workplace since 19.08.2013 and is irregular as well unauthorized absence in the year 2012 and 2013. He submitted his reply on 28.08.2015, which was found unsatisfactory, the	
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	management decided to conduct a departmental enquiry in the charges. The workman participated in the enquiry, he availed the services of his Defense Assistant, and he admitted the charges. He was issued another notice by disciplinary authority with a copy of enquiry report in which the charges were held proved against him, after finding his reply not sufficient and keeping in view his irregular presence at workplace, he was awarded punishment of termination. I have gone through the enquiry papers. It comes out from perusal of record that the workman has participated in enquiry, he has been given chance to have his say and evidence in the enquiry. He has been heard before punishment also there is no procedural or substantial illegality or material irregularity in the departmental enquiry resulting into prejudice to the workman. Consequently, the departmental enquiry conducted is held just, legal and proper and preliminary issue is answered accordingly. Following additional issues are framed:- (i) Whether the finding of the Enquiry Officer in the enquiry report that the charges are proved and concurrence by the disciplinary authority is perverse? (ii) Whether the punishment is proportionate to the charges proved?	

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	Parties are at liberty to file their respective evidences/affidavits strictly confined to additional issue. List on 21.01.2026 for hearing. Upload this order. PRESIDING OFFICER 	