
(1999) 10 SC CK 0133
In the Supreme Court Of India
Case No : Civil Appeal No. 5999 Of 19991

Deepak Puri

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 11-10-1999

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Section 100

Citation : (2000) 10 SCC 380

Hon'ble Judges : S. Saghir Ahmad, J;M. Jagannadha Rao, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. JAGANNADHA RAO, J.-Leave granted.

2. The main contention raised before us in this case is that the appellant to whom a memo dated 24/11/1992 was issued in which the number of charges against him were indicated, had prayed for copies of certain documents including attested copies of complaint, inquiry report and copies of all the enclosures and statements appended to the inquiry report to be furnished to him so as to enable him to submit his reply but the documents were not supplied to him and the inquiry is being proceeded against him. This has caused serious prejudice to him and he would not be able to get a fair opportunity of hearing at the inquiry.

3. It is pointed out by learned counsel for the respondents that the appellant was given an opportunity to inspect the documents on any; working day between 24/8/1999 to 26/8/1999 in the Office of the Director General, Health Services, Haryana but the opportunity was not availed of by the appellant. In this connection, our attention was invited to a letter from the Financial Commissioner and Secretary to the Government of Haryana, Health Department to the appellant which is , dated 19/8/1999. It is mentioned in this letter that the appellant may inspect "government legal documents". The contention of learned counsel for the appellant is that "government legal documents" is a vague term.

It does not mean that all the documents the copies of which were sought for by the appellant were "government legal documents". The respondents in spite of the appellant's objection to this effect have not clarified as to what is meant by "government legal documents".

4. This Court, generally, does not entertain any petition or appeal at the interlocutory stage of the disciplinary proceedings. But, in this case, a glaring fact is that even prior to the issuance of the memo dated 24/11/1992, the appellant as also his colleague Shri C.P. Aggarwal, who were both District Drug Inspectors, had jointly written to the Director General, Medical Health Services, Haryana, Chandigarh on 21/9/1992 with a copy to the Commissioner and Secretary to the Government of Haryana in the Health Department that they apprehended harsh treatment against them and that the whole matter may be inquired into by him personally or some senior officer may be deputed to look into the questions and grievances raised by them.

5. Having regard to the facts and circumstances of this case as also the fact that the respondents had appointed an enquiry officer after about six years of the charge-sheet, we direct that the inquiry shall not proceed till copies of all the documents asked for by the appellant are supplied to him. The appeal is allowed. No order as to costs.