

(2018) 02 DEL CK 0560

In the Delhi High Court

Case No : Civil Writ Petition No. 1750 Of 2018, Civil Miscellaneous No. 7245 Of 2018

Narendra Yadav

APPELLANT

Vs

Indian Oil Corporation Ltd. And Ors

RESPONDENT

Date of Decision : 23-02-2018

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2018) 02 DEL CK 0560

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Barun Kumar Sinha, Pratibha Sinha, Nikhil Mundeta

Final Decision : Disposed Of

Judgement

Sunil Gaur, J

1. Impugned order of 10th January, 2018 (Annexure P-1) rejects petitioner's Representation of 29th November, 2017 (Annexure P-2) wherein

specific plea taken is that the documents as referred to in paragraph No.2 of the Representation do not form part of the charge sheet and are not

included in the list of documents.

2. Impugned order notes that though these documents have not been mentioned in Annexure III of the charge sheet, but it is clearly stated in the said

Annexure that "any other document(s) considered necessary during the course of departmental inquiry proceedings" can be duly presented by the prosecution.

3. The inquiry against petitioner is in progress. What would be the evidentiary value of these documents and whether these documents are admissible

or not and as to whether they can be relied upon or not is not required to be considered by this Court in exercise of jurisdiction under Article 226/227

of the Constitution of India. These aspects have to be considered by the Inquiry Officer at the conclusion of the inquiry.

4. In view of the aforesaid, this petition and application are disposed of with liberty to petitioner to raise the pleas taken in this petition, before the Inquiry Officer.