

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 641 of 2015**

Ku. Mridula Puram D/o Shri H.L.Puram, Aged about 38 years, Ex-Staff Nurse, Employees State Insurance Services, Raipur Centre, District Raipur, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Labour, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The Director, Employees State Insurance Services, Indrawati Bhawan, New Raipur, District Raipur Chhattisgarh.
3. The Insurance Medical Officer, Employee State Insurance Services Champa Centre, District Janjgir-Champa, Chhattisgarh.

---Respondents

For Appellant : Shri V.V.S.Murthy, Senior Advocate with Shri Shantanu Kumar, Advocate.

For Respondent/State : Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice**Hon'ble Shri P. Sam Koshy, J.****Judgment on Board****Per Navin Sinha, Chief Justice****21/12/2015**

1. The present appeals arise from common order dated 28.9.2015 dismissing Writ Petition (S) No. 204 of 2015 (including Writ Petition (S) No. 1056 of 2015 by the present Appellants) declining to interfere with the order discharging the Appellant who was a probationer.

2. The questions of law involved for consideration have already been considered in detail by us in Writ Appeal No. 599 of 2015 holding that the initial enquiry was ex-parte in nature. The order of discharge treating persons like the Appellant as probationer was found to be punitive and stigmatic in nature after lifting the veil, and that the final order was at complete variance with the grounds mentioned in the show cause notice because of which the impugned order of

removal dated 19.11.2014 couched in innocuous language was set aside but without prejudice to the rights of the Respondents afresh in accordance with law.

3. For like reasons as discussed in Writ Appeal No. 599 of 2015, the present appeal is also allowed but without prejudice to the rights of the Respondents afresh in accordance with law.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE