

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.6991 of 2008**

Constable CISF No.942331055 BSD Rao aged about 38 years, S/o Late Shri Das Rao, CISF Unit, Bhilai Steel Plant, R/o Q. No.B4, Street No.2, Sector 3, Bhilai Nagar, Tahsil and District Durg, Chhattisgarh

---- Petitioner**versus**

1. Union of India and others through Secretary, Ministry of Home Affairs, New Delhi
2. Deputy Inspector General Central Industrial Security Force, Unit Bhilai Steel Plant, Bhilai-01, Tahsil and District Durg, Chhattisgarh
3. Commandant, Central Industrial Security Force Unit Bhilai Steel Plant, Bhilai-01, Tahsil and District Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri V.G. Tamaskar, Advocate
For Respondents	:	Shri Raj Kumar Gupta, Standing Counsel

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****22/01/2016**

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. The writ petition assails punishment of reversion to the lowest pay pursuant to a departmental proceeding. The memo of appeal at Annexure P-3 does not allege any procedural irregularity in the department proceeding and seeks to raise issue of facts with regard to evidence which cannot be re-appreciated in the writ jurisdiction. The order of the inquiry officer states that the medical report had confirmed that the Petitioner was under the influence of alcohol at the time of the incident. The findings in a departmental proceeding are based on preponderance of probabilities. The punishment calls for no interference.
3. The writ petition is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE