

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 647 of 2015**

Tukeshwar Prasad Verma S/o Shri Rekhrum Verma, Aged About 34 Years R/o Village & Post Raikheda, P. S. Kharora, District Raipur (Chhattisgarh)

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Labour, Mantralaya, New Raipur, Raipur (Chhattisgarh)
2. The Director, Employee State Insurances Services, D 290/5, Tagore Nagar, Raipur District Raipur (Chhattisgarh)
3. The Insurance Medical Officer, Employee State Insurance Services, Baikunth Tilda Centre, District Raipur (Chhattisgarh)

-----Respondents

For Appellant:	Shri Bharat Rajput, Advocate.
For Respondents:	Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble The Chief Justice**Hon'ble Shri Justice P. Sam Koshy****Judgment on Board****Per Navin Sinha, Chief Justice****4/1/2016**

1. IA. No.1/2015 has been filed to condone the delay in filing the appeal.
2. As the appeal has been filed well within the time, Learned Counsel for the Appellant submits that he does not want to press the application. IA No.1/2015 is dismissed as not pressed.
3. The present appeal arises from common order dated 28.9.2015 dismissing Writ Petition (S) No.204 of 2015 and analogous cases (including Writ Petition (S) No.6465 of 2014 by the present Appellant) declining to interfere with the order discharging the Appellant who was a probationer.

4. The questions of law involved for consideration have already been considered in detail by us in Writ Appeal No.599 of 2015 disposed on 15.12.2015 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.

5. 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