

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6331 of 2017

- Dasru Das Manikpuri S/o Mohit Ram Manikpuri, Aged About 45 Years, Occupation Service, Posted As Servant In CIMS Bilaspur, R/o Tikrapara, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur Civil & Revenue District Bilaspur Chhattisgarh
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Respondent

And

WPS No. 6385 Of 2017

- Durgesh Pandey S/o Dwarika Prasad Pandey, Aged About 39 Years Occupation Service, Posted As Driver In CIMS Bilaspur, R/o Kumhar Mohalla, Talapara, Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, Police Station Naya Raipur, Civil And Revenue District Bilaspur, Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (C I M S), Through Dean, Sadar Bajar, Police Station City Kotwali, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 6384 Of 2017

- Shailendra Kumar Bhoi S/o Motilal Bhoi, Aged About 42 Years Occupation Service, Posted As Ward Boy In C I M S Bilaspur, R/o

Katiyapara, Juna Bilaspur, Dist. Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur, Civil & Revenue District Bilaspur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh

---- Respondent

And

WPS No. 6371 Of 2017

- Smt. Kavita Singh Thakur W/o Omkar Singh Thakur Aged About 37 Years Occupation Service, Posted As T. B. Health Visitor In CIMS Bilaspur, R/O Behind Bhagat Singh School, Bandhwapara, Sarkanda , Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education Mahanadi Bhawan New Raipur Police Station Naya Raipur Civil & Revenue District Raipur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean Sadar Bajar, Police Station City Kotwali Bilaspur Civil & Revenue District Bilaspur Chhattisgarh.

---- Respondent

And

WPS No. 6332 Of 2017

- Arjun Kumar Sidar S/o Late Shri Pila Dau Sidar, Aged About 30 Years, Occupation Service, Posted As Store Keeper (Para Clinical) In CIMS Bilaspur, R/o Village Rajga, Tahsil Sakti, District Janjgir-Champa, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education,

Mahanadi Bhawan, New Raipur, P.S. Naya Raipur, Civil & Revenue District Bilaspur, Chhattisgarh

2. Chhattisgarh Institute Of Medical Sciences (CIMS), Through Dean, Sadar Bajar, P.S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Respondent

And

WPS No. 6373 Of 2017

- Akash Kumar Patel S/o Shri Gopal Prasad Patel, Aged About 29 Years Occupation Service, Posted As Store Keeper (Para Clinical) In Cims Bilaspur, R/o Village & Post Khokhsipali, Tahsil Sarangarh District Raigarh Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur Civil & Revenue District Raipur Chhattisgarh
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh

---- Respondent

And

WPS No. 6338 Of 2017

- Sadhram Suryavanshi S/o Jhunauram Aged About 30 Years Occupation Service, Posted As Dark Room Assistant in CIMS Bilaspur, R/o V-Jalso, Post Semartal, P. S. Koni, Dist. Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur, Civil & Revenue, District Bilaspur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 6370 Of 2017

- Ajay Kumar Rathore S/o Shri Deena Prasad Rathore Aged About 24 Years Occupation Service, Posted As Lab Attendant In C I M S , Bilaspur, R/o L I G - 157, Housing Board Colony, Devrikhurd Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, Police Station Naya Raipur, Civil And Revenue District Raipur, Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, Police Station City Kotwali, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondents

And

WPS No. 6335 Of 2017

- Gangadhar Chandrakar S/o Chandrika Prasad Chandrakar Aged About 36 Years Occupation Service , Posted As Radiographer In CIMS Bilaspur R /o Abhishek Vihar Phase - II, Mangla Bilaspur, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education Mahanadi Bhawan New Raipur Police Station Naya Raipur Civil & Revenue District Raipur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS) , Through Dean Sadar Bajar, Police Station City Kotwali Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh.

---- Respondent

And

WPS No. 6369 Of 2017

- Hemant Gautam S/o R. K. Gautam, Aged About 29 Years

Occupation Service, Posted As Store Keeper (Para Clinical) In C.I. M. S. , Bilaspur, R/o Venkatesh Mandir, Sadar Bazar, Bilaspur, District Bilaspur, Chhattisgarh.

•---- Petitioner

•Vs

- State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, Police Station Naya Raipur, Civil And Revenue District Bilaspur, Chhattisgarh.
- Chhattisgarh Institute Of Medical Science (C I M S), Through Dean, Sadar Bazar, Police Station City Kotwali, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 6336 Of 2017

- Sanat Kumar Tekam S/o Dayal Singh Tekam, Aged About 32 Years, Occupation Service, Posted As Radiographer in CIMS Bilaspur, R/o Village & Post Jevra Jawapara, Tehsil Masturi, District Bilaspur, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P.S. Naya Raipur, Civil & Revenue District Raipur, Chhattisgarh
2. Chhattisgarh Institute Of Medical Sciences (CIMS), Through Dean, Sadar Bazar, P.S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Respondent

And

WPS No. 6339 Of 2017

- Durgesh Kumar Shukla S/o Janak Lal Shukla Aged About 29 Years Occupation Service, Posted As Ward Boy in CIMS Bilaspur, R/o Rajaram Mandir, Gondpara, Bilaspur, Dist. Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur, Civil & Revenue District Raipur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh.

---- Respondents

And

WPS No. 6347 Of 2017

- Raj Kumar Rathor S/o Shri Kishor Kumar Rathor Aged About 33 Years Occupation Service, Posted As Store Keeper (Para Clinical) In C I M S Bilaspur, R/o C/o Kishor Parmar, Sharpsringi Bhawan, Madhuban Road, Dayalband, District Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Medical Education, Mahanadi Bhawan, New Raipur, Police Station Naya Raipur, Civil And Revenue District Bilaspur, Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (C I M S), Through Dean, Sadar Bajar, Police Station City Kotwali, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 6341 Of 2017

- Banshilal Kolam S/o Dhukva Ram Kolam Aged About 39 Years Occupation - Service , Posted As Ward Boy in CIMS Bilaspur R/o Village Kharhata Police Station Pandatarai District Kabirdham Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education Mahanadi Bhawan New Raipur Police Station Naya Raipur Civil & Revenue District Raipur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (C I M S) , Through Dean Sadar Bajar , Police Station City Kotwali Bilaspur Civil &

Revenue District Bilaspur Chhattisgarh.

---- Respondent

And

WPS No. 6390 Of 2017

- Saroj Kumar Nirmalkar D/o Ram Kishun Nirmalkar, Aged About 39 Years Working As Servant At Chhattisgarh Institute Of Medical Science Bilaspur District Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mantralaya P. S. Rakhi, Tahsil Aarang, Naya Raipur District Raipur Chhattisgarh
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, CIMS, Bilaspur, District Bilaspur Chhattisgarh

---- Respondent

And

WPS No. 6391 Of 2017

- Santosh Kumar Sahu S/o Khorbahara Ram Sahu, Aged About 47 Years Occupation Service, Posted As Lab Attendant In CIMS Bilaspur, R/o Village & Post Mopka, Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P. S. Naya Raipur Civil & Revenue District Raipur Chhattisgarh
2. Chhattisgarh Institute Of Medical Science (CIMS), Through Dean, Sadar Bajar, P. S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh

---- Respondent

And

WPS No. 6330 Of 2017

- Amit Dubey S/o Shri R. K. Dubey, Aged About 41 Years Working

As Lab Technician At Chhattisgarh Institute Of Medical Science,
Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mantralaya, P. S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (C I M S), Through Dean, C I M S , Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 6389 Of 2017

- Pinky Khare W/o Dr. Prakash Khare Aged About 30 Years Working As Lab Attendant At Chhattisgarh Institute Of Medical Science Bilaspur District Bilaspur Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary Health And Family Welfare Department Mantralaya Police Station Rakhi Tahsil Aarang Naya Raipur District Raipur Chhattisgarh.
2. Chhattisgarh Institute Of Medical Science (CIMS) Through Dean, CIMS Bilaspur , District Bilaspur Chhattisgarh.

---- Respondent

And

WPS No. 6379 Of 2017

- Laxmi Patel S/o Manharan Lal Patel, Aged About 36 Years Occupation Service, Posted As Gardener In CIMS Bilaspur, R/o Village Nirtu, Post Ghutku, Tehsil Takhatpur, District Bilaspur, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P.S. Naya Raipur, Civil & Revenue District Raipur, Chhattisgarh

2. Chhattisgarh Institute Of Medical Sciences (C I M S), Through Dean, Sadar Bajar, P.S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Respondent

And

WPS No. 6375 Of 2017

- Smt. Usha Choudhary W/o Shashi Choudhary, Aged About 34 Years, Occupation Service, Posted As Lab Technician In C I M S Bilaspur, R/o Quarter No.3, Geetanjali Enclave, Ring Road No.2, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary Medical Education, Mahanadi Bhawan, New Raipur, P.S. Naya Raipur, Civil & Revenue District Raipur, Chhattisgarh
2. Chhattisgarh Institute Of Medical Sciences (CIMS), Through Dean, Sadar Bajar, P.S. City Kotwali, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh

---- Respondents

For Petitioners

Shri Dashrath Prajapati and Shri C. J. K. Rao, Advocates

For Respondent-State

Shri Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/11/2017

1. Learned counsel for the parties would not dispute that WPS No.3367 of 2017, decided on 27.09.2017 [**Khemendra Singh Dhruw v. Chhattisgarh Institute of Medical Sciences (CIMS) and another**] was dealing with an identical issue raised in the present batch of writ petitions, though learned counsels would

submit that the said case of **Khemendra Singh Dhruw (Supra)** was disposed of after submission of reply by the respondents.

2. The matter pertains to consideration of the petitioners' case for their confirmation upon completion of the period of probation.
3. Whether or not an employee has satisfactorily completed the period of probation is the exclusive domain of the Appointing Authority and this Court is not going to pass any order for confirmation of any employee on successful completion or otherwise of the probation period.
4. In view of the order passed by this Court in **Khemendra Singh Dhruw** (supra), I am not inclined to keep this present batch of petitions pending.
5. Accordingly, all the writ petitions are disposed of with observation that the respondents shall take decision with regard to the confirmation of the petitioners' services upon successful completion of the period of probation or otherwise, at the earliest, preferably within a period of 04 months from today.

Sd/-
Judge
Prashant Kumar Mishra