

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5661 of 2018**

Vinay Choubey S/o Shri Rudra Nath Choubey, Aged About 29 Years,
R/o Village Choubeypur (Chakalam), Post Mohammadabad , District
Gajipur, Uttar Pradesh, 233227

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Home (Police), Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. The Commandant, 14th Battalion, Chhattisgarh Armed Forces, Dhanora, District Balod, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sameer Oraon, Advocate
For State	:	Shri S. P. Kale, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****30.08.2018**

The challenge in the present writ petition is to the order Annexure P-1 dated 13.08.2018 which is an order of termination from service.

2. The order under challenge is an appealable order under the service rule itself. The petitioner has not availed the remedy available to him and has rushed to this Court straightaway.

3. Given the facts, reserving the right of the petitioner to prefer an appeal before the appellate authority within a period of 15 days from today and on such appeal being made, the appellate authority is directed to

consider and decide the case objectively considering the entire factual matrix of the case including the gravity of the charges levelled against the petitioner within the period as stipulated under the rules, the writ petition stands disposed of.

4. Needless to mention that this Court has not expressed any opinion on the merits of the case.

**Sd/-
P. Sam Koshy
Judge**