

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 448 of 2017

- Krishna Kumar Daharia S/o Late Bala Ram Dahariya Aged About 38 Years R/o Village Bhatagaon Tahsil Baloda Bazar District Baloda Bazar Bhatapara , Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary Health And Family Welfare Department Mahanadi Bhawan Mantralaya Capital Comlex New Raipur District Raipur Chhattisgarh.
2. Director Health Services , Directorate , Indravati Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.
3. Joint Director , Health Services , Chhattisgarh Indravati Bhawan New Raipur District Raipur Chhattisgarh.
4. Collector, District Baloda Bazar Bhatapara Chhattisgarh.
5. Joint Collector , District Baloda Bazar Bhatapara Chhattisgarh.
6. Chief Medical And Health Officer , Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh.
7. Chief Executive Officer, Zila Panchayat District Baloda Bazar Bhatapara Chhattisgarh.
8. District Treasury Officer , District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 449 of 2017

- Vikas Kumar Chandrakar S/o Kishan Lal Chandrakar, Aged About 27 Years R/o Bhagat Chowk, Chhattisgarh Nagar, Raipur, District Raipur Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 450 of 2017

- Rakesh Paikra S/o Dau Lal Paikara, Aged About 24 Years R/o Village Tarashiv, Tahsil Balodabazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh

2. Director, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Joint Director, Health Services, Chhattisgarh Indravati Bhawan, New Raipur, District Raipur, Chhattisgarh
4. Collector, District Balodabazar Bhatapara, Chhattisgarh
5. Joint Collector, District Balodabazar Bhatapara, Chhattisgarh
6. Chief Medical And Health Officer, District Balodabazar Bhatapara, Chhattisgarh
7. Chief Executive Officer, Zila Panchayat, District Balodabazar Bhatapara, Chhattisgarh
8. District Treasury Officer, District Balodabazar Bhatapara, Chhattisgarh

---- Respondents

WA No. 451 of 2017

- Yogendra Bajnare S/o Tirath Ram Banjare, Aged About 27 Years R/o Village Khaira, Post Datan, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. Director, Health Services, Directorate, Indravati Bhawan, 3rd Floor, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
3. The Collector, Collectorate, Baloda Bazar- Bhatapara, Chhattisgarh.
4. Chief Medical And Health Officer, Raipur, District Raipur, Thana Raipur, Chhattisgarh.
5. Chief Medical And Health Officer, Baloda Bazar, District And Thana Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondents

WA No. 452 of 2017

- Manish Sahu S/o Birju Sahu, Aged About 28 Years Occupation Service Class I V, R/o Krishna Vihar Colony, Saktipara Baloda Bazar, Post And Tahsil Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health Mahanadi Bhawan, Capital Complex, Secretariat, Naya Raipur, District Raipur Chhattisgarh
2. The Director, Directorate Of Health Serives, Block I, Indrawati Bhawan 3rd Floor, Naya Raipur, District Raipur Chhattisgarh

3. The Collector, District Baloda Bazar Bhatapara Chhattisgarh
4. The Chief Medical And Health Officer, Raipur, District Raipur Chhattisgarh
5. Chief Medical And Health Officer, Baloda Bazar, District Balodabazar - Bhatapara Chhattisgarh

---- Respondents

WA No. 453 of 2017

- Ramesh Kumar Lalbegi S/o Late Shri Babulal Lalbegi, Aged About 37 Years R/o Nayapara Azad Chowk, Baloda Bazar, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. Director, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
3. Commissioner, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondents

WA No. 454 of 2017

- Omprakash Koshle S/o T.R. Koshle, Aged About 25 Years R/o Village And Post Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Commissioner, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
4. Chief Medical And Health Officer Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 455 of 2017

- Satyaprakash Yadav S/o Dular Yadav, Aged About 28 Years R/o Village Chichirda, Post Lawan, District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur Chhattisgarh.
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur District Raipur Chhattisgarh
3. Commissioner, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur District Raipur Chhattisgarh
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh

---- Respondents

WA No. 457 of 2017

- Kaushal Prasad Verma S/o Samaru Ram Verma, Aged About 33 Years Occupation Ward Boy, Government Primary Health Centre Simga, Thana Simga, District Baloda Bazar - Bhatapara Chhattisgarh R/o Village Mundai, Post Office Lawan, Block Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh , Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
2. The Director, Directorate Health Services, Block - 1, Indrawati Bhawan, 3rd Floor, Naya Raipur District Raipur Chhattisgarh
3. Collector, District Baloda Bazar Bhatapara Chhattisgarh
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh
5. Block Health Officer, Public Health Centre, Simga, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

WA No. 458 of 2017

- Shahrukh Khan S/o Farukh Khan Aged About 25 Years R/o Nayapara Ganesh Chowk, Baloda Bazar, Police Station And Post Baloda Bazar, Civil And Revenue District Baloda Bazar Bhatapara Chhattisgarh , Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary Health And Family Welfare, Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh , Chhattisgarh

2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh Raipur District Raipur Chhattisgarh
3. Commissioner Health Services Directorate Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh Raipur District Raipur Chhattisgarh
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh

---- Respondents

WA No. 459 of 2017

- Indra Kumar Kanoje S/o Thaneshwar Prasad Kanoje, Aged About 34 Years R/o Village And Post Latwa, Tahsil Balodabazar, District Balodabazar-Bhatapara, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Commissioner, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
4. Chief Medical And Health Officer, Balodabazar, District Balodabazar-Bhatapara, Chhattisgarh

---- Respondents

WA No. 461 of 2017

- Hemlal Patel S/o Itwari Ram Patel Aged About 36 Years R/o Ghirghol, Post Datan, Block Pallari, District Baloda Bazar Bhatapara Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Director Health Services Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Commissioner Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 463 of 2017

- Daulat Ram Yadav S/o Sant Ram Yadav, Aged About 33 Years R/o Village Alesur, Post Jara, Police Station Kharora, Raipur, District Raipur, Chhattisgarh

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Commissioner, Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
4. Chief Medical And Health Officer, Baloda Bazar, District Balodabazar-Bhatapara, Chhattisgarh

---- Respondents**WA No. 471 of 2017**

- Rajkumar Jaiswal S/o Premlal Jaiswal Aged About 33 Years R/o Village And Post Bilaigarh District Baloda Bazar Bhatapara Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary Health And Family Welfare Department Mahanadi Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.
2. Director , Health Services , Directorate Indravati Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.
3. The Collector, District Baloda Bazar Bhatapara Chhattisgarh.
4. Chief Medical And Health Officer, Baloda Bazar , District Baloda Bazar Bhatapara Chhattisgarh.
5. Block Health Officer Public Health Centre Simga District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents**WA No. 472 of 2017**

- Prakash Singh Dhruv S/o Utkal Dhruv, Aged About 37 Years Occupation Service Ward Boy, R/o Gordkhapri, Tehsil And District Baloda Bazar Bhatapara, Chhattisgarh , Chhattisgarh

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health Mahanadi Bhawan, Capital Complex, Secretariat, Naya Raipur, District Raipur, Chhattisgarh

2. The Director, Directorate Of Health Services, Block- I, Indrawati Bhawan, 3rd Floor, Naya Raipur, District Raipur, Chhattisgarh
3. The Collector, District Baloda Bazar Bhatapara, Chhattisgarh
4. The Chief Medical And Health Officer, Razipour, District Raipur, Chhattisgarh
5. The Chief Medical And Health Officer, Balodabazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Respondents

WA No. 473 of 2017

1. Manisha Nishad W/o Dhaneshwar Nishad, Aged About 34 Years R/o Village And Post Hathband, Tahsil Simga, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. The Director, Directorate Health Services, Block - 1, Indrawati Bhawan, 3rd Floor, Naya Raipur, District Raipur, Chhattisgarh.
3. Collector, District Baloda Bazar- Bhatapara, Chhattisgarh.
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar-Bhatapara, Chhattisgarh.
5. Block Health Officer, Public Health Centre, Simga, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondents

WA No. 474 of 2017

- Om Shankar Banarasi S/o Sadhelal Banarasi, Aged About 28 Years R/o Village And Post Dondekala, District Raipur, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Chief Medical And Health Officer, Baloda Bazar, District Balodabazar-Bhatapara, Chhattisgarh

---- Respondents

WA No. 475 of 2017

- Gayatri Sahu W/o Dushyant Kumar Sahu, Aged About 36 Years R/o Village And Post Sel, Block Kasdol, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate Of Health Service, Block I , Indrawati Bhawan, 3rd Floor, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
3. Collector, District Baloda Bazar- Bhatapara, Chhattisgarh.
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondents**WA No. 480 of 2017**

- Dhaneshwari Chandrakar D/o Baretiya Lal Chandrakar, Aged About 29 Years R/o Village Kotgan, Post Bhatgaon, District Balodabazar- Bhatapara, Chhattisgarh

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Chief Medical And Health Officer, Balodabazar, District Balodabazar- Bhatapara, Chhattisgarh

---- Respondents**WA No. 481 of 2017**

- Smt. Bimla Khute W/o Shri Harishchandra Khunte Aged About 28 Years R/o Village Matiya, Police Station Gidhaori, District Baloda Bazar Bhatapara Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Director, Health Services. Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.

3. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 482 of 2017

- Harpal Singh Banjre S/o Ganesh Ram Banjare, Aged About 35 Years R/o Village Khaira, Post Datan, Police Station Kasdol, Tahsil Baloda Bazar, District Balodabazar-Bhatapara, Chhattisgarh, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh
3. Joint Director, Health Services, Chhattisgarh Indravati Bhawan, New Raipur, District Raipur, Chhattisgarh
4. Collector, District Balodabazar-Bhatapara, Chhattisgarh
5. Joint Collector, District Balodabazar-Bhatapara, Chhattisgarh
6. Chief Medical And Health Officer, Baloda Bazar, District Balodabazar-Bhatapara, Chhattisgarh
7. Chief Executive Officer, Zila Panchayat, District Balodabazar-Bhatapara, Chhattisgarh
8. District Treasury Officer, District Balodabazar-Bhatapara, Chhattisgarh

---- Respondents

WA No. 483 of 2017

1. Smt. Taruna Tiwari W/o Ramkumar Tiwari Aged About 44 Years R/o Near Deepak Pan Center, New Bus Stand, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh., Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. The Director Directorate Of Health Services, Block - I, Indrawati, Bhawan 3rd Floor, Naya Raipur, District Raipur Chhattisgarh.
3. The Collector, District Baloda Bazar Bhatapara Chhattisgarh.
4. The Chief Medical And Health Officer, Raipur, District Raipur Chhattisgarh.
5. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondents

WA No. 484 of 2017

- Nokhram Patel S/o Heeraram Patel, Aged About 26 Years R/o Village Gindola, District Baloda Bazar Bhatapara Chhattisgarh., Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 485 of 2017

- Vyas Narayan S/o Dheluram, Aged About 31 Years R/o Village And Post Saloni, Tahsil Palari, District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Healthy And Family Welfare Department Mahanadi Bhawan, Mantralaya Capital Complex, New Raipur District Raipur Chhattisgarh
2. Director, Directorate Of Health Services, Block - 1, Indrawati Bhawan 3rd Floor, Naya Raipur, Post Office And Police Station Naya Raipur District Raipur Chhattisgarh
3. The Collector, Collectorate District Baloda Bazar Bhatapara Chhattisgarh
4. Chief Medical And Health Officer, Raipur District Raipur Thana Raipur Chhattisgarh
5. Chief Medical And Health Officer, Baloda Bazar District And Thana Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

WA No. 486 of 2017

- Malikram Jaiswal S/o Bhagawat Ram Jaiswal Aged About 29 Years R/o Village Beltikri, Post Dharasil, Tahsil Bilaigarh, District Baloda Bazar Bhatapara Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.

2. Director Health Services, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 487 of 2017

- Daneshwar Verma S/o Sukalu Ram Verma Aged About 39 Years R/o Village Ganiyari Post Kharora Tahsil Tilda District Raipur Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary Health And Family Welfare Department Mahanadi Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.
2. Director Health Services, Directorate, Indravati Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.
3. Chief Medical And Health Officer , Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondents

WA No. 488 of 2017

- Hemant Kurre S/o Sona Das Kurre, Aged About 40 Years R/o Village Parsawani, Tahsil Bhatapara, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. The Director, Directorate Of Health Services, Block - I, Indrawati Bhawan, 3rd Floor, Naya Raipur, District Raipur, Chhattisgarh.
3. The Collector, District Baloda Bazar- Bhatapara, Chhattisgarh.
4. The Chief Medical And Health Officer Raipur, District Raipur, Chhattisgarh.
5. The Chief Medical And Health Officer Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondents

WA No. 495 of 2017

1. Pileshwari Vaishnav W/o Raju Vaishnav, Aged About 34 Years R/o Village And Post Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
2. The Director, Directorate Health Service, Block - I Indrawati Bhawan, 3rd Floor Naya Raipur, District Raipur Chhattisgarh
3. Collector, District Baloda Bazar Bhatapara Chhattisgarh
4. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh
5. Block Health Officer, Public Health Centre, Bhatapara District Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

WA No. 496 of 2017

- Markandey Verma S/o Avadh Ram Verma, Aged About 29 Years R/o Village Chirpota, Post Kohraud, Block Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
2. Director, Directorate Of Health Services, Block 1, Indrawati Bhawan, 3rd Floor Naya Raipur, Post Office And Police Station Naya Raipur District Raipur Chhattisgarh
3. The Collector, Collectorate District Baloda Bazar Bhatapara Chhattisgarh
4. Chief Medical And Health Officer, Raipur District Raipur Chhattisgarh
5. Chief Medical And Health Officer, Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh

---- Respondents

WA No. 497 of 2017

- Usha Rani Yadu W/o Rupendra Yadu Aged About 42 Years Occupation Aaya, Community Hospital Centre Bhatapara , Thana Bhatapara District Baloda Bazar Bhatapara Chhattisgarh R/o Village Manhohara Thana Hathband Post Office Hathband District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary Health And Family Welfare Department Mahanadi Bhawan Mantralaya Capital Complex New Raipur District Raipur Chhattisgarh.

2. The Director Directorate Health Services Blcok - I Indrawati Bhawan 3 Rd Floor Naya Raipur Distict Raipur Chhattisgarh.
3. Collector, District Baloda Bazar Bhatapara Chhattisgarh.
4. Chief Medical And Health Officer , Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh.
5. Block Health Officer, Public Health Centre Bhatapara District Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

For Appellants	:	Shri Rajendra Tiwari, Senior Advocate assisted by Shri Manoj Paranjpe and Shri T. K. Khadka
For Respondents/State	:	Shri Yashwant Singh Thakur, Additional Advocate General

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice

Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per, Ajay Kumar Tripathi, Chief Justice

24.09.2018

1. By a common order dated 16.06.2016 issued under the signature of Chief Medical and Health Officer (CMHO), District Baloda Bazar-Bhatapara, 121 persons were dismissed from service on the ground that either the appointment was illegal or irregular. Along with this order, a list of the employees was appended which became the cause of action for filing writ applications by large number of such employees. The impugned annexure was Annexure – P/1 to the writ applications. All the writ applications came to be clubbed together and heard together and also dismissed by a common order dated 27.09.2017. Therefore, these appeals.

2. On 13.06.2012, the CMHO, Raipur issued an advertisement inviting applications for appointment on various posts in three Districts, namely Raipur, Baloda Bazar and Gariyaband. Present dispute is confined to the District of Baloda Bazar. The advertisement talked of a large number of posts. Responses were received. District Selection Committee made recommendation of the selected candidates and appointment on Class-III and Class-IV posts were made. The dispute arose because only 143 sanctioned posts were advertised, but 272 appointments came to be made. Complaints were made to various authorities and based on those complaints, a preliminary enquiry was conducted by the In-charge Divisional Programme Officer, who submitted his report to the Divisional Joint Director, Health Services. Based on those report or inputs, on 09.10.2015, the Director, Health Services issued a direction to the Collector, Baloda Bazar to set aside the illegal appointments. Similar kind of direction was also issued to the CMHO, Baloda Bazar on 09.10.2015 to set aside those illegal appointments.
3. Writ applications came to be filed against such a decision and *prima facie* the Court being satisfied that such decision for termination not being in conformity with the law, the respondent authorities decided to withdraw the letters of termination. This was done by the Director, Health Services vide his letter dated 17.11.2015.
4. However, a direction was issued to the Collector to hold an enquiry for which he constituted a Committee consisting of Chief Executive Officer, Jila Panchayat, Baloda Bazar; Joint Collector, Baloda Bazar; and

District Treasury Officer, Baloda Bazar for holding an enquiry into the matter. The Committee submitted its report on 29.02.2016 which was of the opinion that against 143 advertised posts under 13 categories, 272 posts have been filled up under 18 categories. On the basis of the report of the Committee, the CMHO, Baloda Bazar issued kind of readymade notices to all the employees. Responses were filed by the employees and thereafter, the order of termination enmass dated 16.06.2016 was passed when writ applications by the dismissed employees came to be filed.

5. The learned Single Judge, after hearing the submissions of the parties, upheld the order of the dismissal on the ground that if appointments are *per se* illegal for which materials were available and have been also discussed, such decision to terminate illegally or irregularly appointed employees, cannot be said to be an illegal decision. We, however, have reservation on those findings since they are culled out from the three member Committee's report which has given its finding on an *exparte* fact finding with no opportunity to any of the dismissed employees.
6. Submission of learned Senior Counsel representing the Appellants is that a farce of an enquiry was played out. All the appellants were substantively appointed. They worked for a period of two years and then their services were confirmed. There are enough evidence and notifications to support that. They have acquired permanent status under the Respondents-State authorities. An enquiry held by certain Committee set up under the direction of the Collector, Baloda Bazar could not form the basis for issuance of an order of termination by the

Appointing Authority, who never held any independent enquiry. He used the findings given in the enquiry report of the three member Committee as the basis for notice and termination by a formality of compliance of natural justice.

7. The alternative argument is that even if the Committee was set up to go into the issue of appointments so the fact that all the employees had worked for a significant period of time and acquired a permanent status also under the Respondents. There ought to have been a proper enquiry held by the Disciplinary or Appointing Authority and the Committee's findings or conclusion could not be used as the sole or made the basis. In fact, using the report of three member Committee for dismissing the Appellants from service would also amount to surrendering the decision making power of the Appointing / Disciplinary Authority to another authority who do not have the power to do so. Putting a seal of approval to the findings of the Committee in a mechanical fashion by the Appointing / Disciplinary Authority is nothing but complete subjugation and surrendering of the authority to take a decision, which the Appointing Authority was required to do.
8. It is not even emerging from the records whether a copy of the finding of the three members enquiry Committee was ever served along with the notices to any of the employees. It seems that only a formality of issuance of a notice of show cause was used as the basis for termination.
9. The issue is not whether these appointments were made strictly in accordance with the advertisement or the selections so made were

either irregular or illegal. Both the words and expressions have been used in the order of termination. What is irregular is curable and depends upon the nature of irregularity in the process of such selection. They cannot be equated with the same category of people whose appointment can be said to be illegal. But all these terminologies would be required to be used in relation to any of the permanently appointed employees provided, a proper enquiry was held in this regard by the Appointing Authority and not surrendering his power to go into the issue by basing his decision on the inputs or findings provided by a three members Committee, which did not even bother to hear any of the employees, whose right for holding the post was going to be seriously affected and such decision was going to have civil consequences for them.

10. When the matter was taken up on the earlier occasion, the Court directed the Respondent-State authorities to go into the records and produce whether any enquiry was held by the CMHO and whether the record shows that these Appellants were given an opportunity before the three member enquiry Committee constituted by the Collector or whether a copy of that report was also given to any of these appointees with the show cause.
11. It seems that the CMHO only issued a show cause to the employees and without even considering the individual responses issued a common order of termination en masse of these employees.
12. The process and procedure which was adopted obviously violates the principle of natural justice. The employees were required to be given

individual notice and proper opportunity by the Appointing Authority before a kind of finding or conclusion could be reached in relation to such appointment being either illegal or irregular. The process and procedure which has been adopted by the Respondent-State authorities is unknown in service jurisprudence, therefore, the order which is under challenge and which has been upheld by the learned Single Judge would be required to be interfered with.

13. The submission of the Additional Advocate General, on the other hand, is that if the findings have come about the illegality and the facts speak for themselves, therefore, the decision so taken by the competent authority cannot be said to be erroneous. Taking the facts into consideration, the learned Single Judge rightly came to the opinion that if appointments were illegal *per se* therefore, termination could be warranted.
14. The issue is not about the principle. The issue is the manner and mechanism under which the whole exercise has been done. If the employee who is substantively appointed and have been confirmed under services were terminated on the basis of an enquiry in which they were never given an opportunity to participate and only a formality of show cause was issued to them on the basis of the three members Committee report, then in our opinion, it does not satisfy requirements of the rules of the natural justice or requirement under the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966.
15. In the facts and circumstances, we therefore, hold the order of termination dated 16.06.2016 passed by the CMHO, Baloda Bazar as

well as the order dated 27.09.2017 passed by the learned Single Judge upholding such decision of termination to be irrational and arbitrary and therefore, they deserve to be set aside and are set aside. It goes without saying that all these Appellants will be reinstated in their services forthwith.

16. The respondents, however, are given liberty that they will issue individual notices and hold enquiry in relation to the appointments on the post so made of all these terminated employees and this exercise cannot be a collective exercise because the authorities will have to identify as to which appointment was irregular and which appointment was illegal in the enquiry. In the departmental proceeding to be held and on the findings thereon, the law will take its course. The said enquiry will be concluded preferably within a period of six months.
17. Before disposing these appeals, the Court also directs all the appellants that on the notice so given to them by the Appointing Authority who is said to be CMHO, Baloda Bazar, they will co-operate in the enquiry and will not unnecessarily delay the same on one pretext or the other.
18. All the appeals are allowed in terms of the above.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge