

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.19287 of 2018
Date of decision: 06.08.2018**

Mohammad Nasir

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.S. Sihota, Senior Advocate,
with Mr. B.R. Rana, Advocate,
for the petitioner.

Ritu Bahri, J.

Notice of motion.

On the asking of the Court, Ms. Nidhi Garg, AAG, Haryana,
accepts notice on behalf of the respondent-State.

Short grievance of the petitioner is that vide impugned order dated
19.06.2018 (Annexure P-8), fresh termination order of the petitioner has
been passed. However, in this order it has been observed that he needs to
improve his skills, stamina and health. In this order, it has been further
stated that one Mr. Vivek has been employed since 28.12.2017 and he could
not be dislodged to give appointment to the petitioner.

The only grievance of the petitioner is that the opinion expressed
in the impugned order with respect to his health can be stigmatic for further
employment as a driver.

At this stage, the present petition is disposed of by modifying the
impugned order dated 19.06.2018 (Annexure P-8) to the extent that services

of the petitioner have been terminated on account of the terms and conditions of appointment letter dated 28.11.2016 (Annexure P-2). Findings given with respect to his health cannot be sustained, as they are not based on any medical opinion.

06.08.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No