



CGHC010215422026



2026:CGHC:27888-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 556 of 2026**

Director General Of Chhattisgarh Council Of Science Of Technology
Chhattisgarh Council Of Science And Technology Vigyan Bhawan
Vidhan Sabha Road Daldal Seoni Raipur C.G. Pin No. 492001.

... Appellant(s)**versus**

1. Dooman Lal Soni S/o Late Shri Bahalram Soni Aged About 41 Years Working As Peon Chhattisgarh Council Of Science And Technology Vigyan Bhawan Didhan Sabha Road Daldal Seoni Raipur R/o Near Durgesh Grocery Shop Baijnath Para Police Station City Kotwali District Durg C.G.
2. State Of Chhattisgarh Council Science And Technology Vigyan Bhawan Vidhan Sabha Road Daldal Seoni Raipur District Raipur C.G.

...Respondent(s)

(Cause-title taken from Case Information System)

For Appellant	:	Dr. Saurabh Kumar Pande, Advocate.
For Respondent No. 1	:	Mr. Sudeep Johri and Mr. J.K. Gupta, Advocates.
For Respondent/State	:	Mr. Prasun Bhaduri, Deputy Advocate General.

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Judgment on Board

Per Ramesh Sinha, Chief Justice

07.07.2026

1. Heard Dr. Saurabh Kumar Pande, learned counsel for the appellant. Also heard Mr. Sudeep Johri, learned counsel, appearing for respondent No. 1 along with Mr. J.K. Gupta, learned counsel and Mr. Prasun Bhaduri, learned Deputy Advocate General, appearing for the State/respondent No. 2.

2. The present intra Court appeal has been filed by the appellant against the order dated **15.04.2026** passed by the learned Single Judge in **WPS No. 6573 of 2021 (*Dooman Lal Soni vs. State of Chhattisgarh & Another*)**, whereby the writ petition filed by the respondent No. 1/writ petitioner herein has been allowed by the learned Single Judge.

3. It has been pointed out by learned counsel appearing for the appellant, learned counsel appearing for respondent No. 1, as well as learned counsel appearing for the State that, in an identical matter, this Bench had dismissed **WA No. 536 of 2026** and the analogous writ appeal (***Director General of Chhattisgarh Council of Science and Technology vs. Aryahind Yadav & Another***) vide order dated 02.07.2026, observing as follows:

“14. Upon consideration of the material on record and the submissions advanced, this Court finds no infirmity in the well-reasoned order passed by learned Single

Judge warranting interference in the present writ appeals. Learned Single Judge has correctly appreciated the factual matrix and has rightly held that the writ petitioners had initially been engaged during the years 2011–2012 and were subsequently regularized in the year 2014 on the post of Peon in the regular pay scale. It is further an admitted position that after such regularization, the writ petitioners continuously discharged their duties for a substantial period of time, thereby acquiring the status of regular employees in service jurisprudence.

15. Learned Single Judge has also rightly recorded a clear finding that the writ petitioners had completed the prescribed period of probation and that no order extending their probation period was ever placed on record by the respondents. In the absence of any such extension or adverse order during probation, the conclusion drawn that the writ petitioners attained the status of regular employees is fully justified. Consequently, the protection guaranteed under Article 311(2) of the Constitution of India was rightly held to be applicable, and learned Single Judge has correctly concluded that the respondents were bound to conduct a proper departmental enquiry before passing any order of termination having civil consequences.

16. Learned Single Judge has correctly applied the test that where an employee has a right to hold the post and is visited with civil consequences, termination without compliance of principles of natural justice and without proper enquiry cannot be sustained. The Court has rightly found that mere issuance of notices or seeking explanations cannot be equated with a full-fledged departmental enquiry as mandated under law.

17. The contention of the appellant regarding alleged illegality or irregularity in initial appointment/regularization has also been rightly rejected by learned Single Judge. It has been correctly held that any procedural irregularity, if at all, is attributable employer and cannot be used to penalize employees who have served for years, particularly in the absence of any allegation of fraud or

misrepresentation against them. Learned Single Judge has further correctly observed that long continuation in service pursuant to regularization cannot be lightly unsettled without following due process of law. As such, the reliance placed by learned counsel for the appellant is distinguishable to the facts of the present case.

18. The finding that the impugned termination was passed in violation of such directions and without any justifiable basis is based on proper appreciation of record and cannot be termed perverse or arbitrary. Learned Single Judge has further rightly held that the orders of termination dated 21.09.2020 and the appellate order dated 17.03.2021 suffer from violation of principles of natural justice. The record clearly indicates that no proper departmental enquiry was conducted, no definite charges were framed, and no effective opportunity of hearing was granted to the writ petitioners before visiting them with civil consequences. The conclusion of the learned Single Judge that the writ petitioners, having been regularized in service and having completed probation, were entitled to constitutional protection under Article 311(2) of the Constitution of India, is fully supported by law and facts.

19. In view of the foregoing, this Court is of the considered opinion that learned Single Judge has taken a correct, lawful, and balanced view of the matter. The findings recorded are neither perverse nor contrary to record and do not suffer from any jurisdictional or legal error warranting interference in appellate jurisdiction.

20. Accordingly, the writ appeals are devoid of merit and are hereby dismissed. No cost(s)."

They further submitted that since the facts and issue involved in the present case is identical to that of WA No. 536 of 2026 and the analogous writ appeal, this appeal may also be dismissed in the same terms.

4. Having considered the rival submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this appeal is identical to **WA No. 536 of 2026**, this Court deems it appropriate not to take a view other than what has been taken in **WA No. 536 of 2026**.

5. Accordingly, the present appeal is **dismissed** in terms of the order dated **02.07.2026** passed in **WA No. 536 of 2026**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice