

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5549 of 2007**

- Sapan Kumar Mandal S/o Narayn Mandal, aged about 31 years, R/o P.V. 122 (Prem Nagar, Kapsi Tahsil : Pakhanjur District Kanker (CG).

---- Petitioner**Versus**

1. State Of Chhattisgarh through the Secretary, Department of Panchayat, DKS Bhawan, Raipur (CG).
2. Chief Executive Officer District Panchayat Kanker Distt.- Kanker (CG).
3. Ku. Archana Mallik D/o Nitya Mallik, aged about 26 years, R/o P.V. 34 (Prem Nagar) Kapski, Tahsil & Police Station Pakhanjur District Kanker (CG).

---- Respondents

For Petitioner	Shri CR Sahu, Advocate.
For Respondent/State	Shri Prafull Bharat, Additional Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****20/11/2015**

1. Challenge in this petition is to the order dated 14.02.2007 whereby the representation of the Petitioner against cancellation of his appointment order was rejected.
2. The facts in nutshell relevant for disposal of this petition is that, the petitioner was initially appointed on the post of Rozgar Sahayak on 11.05.2006 under

the Respondent No.2, however, on the basis of complaint made by Anjali and one Praduman Kumar Sharma the selection process was re-considered and in the process it was found that meritorious candidates were not considered by the department due to some inadvertence as is reflected from reply filed by the State. When the merit list was again prepared, it was found that it was the Respondent No.3/Ku. Archana Mallik who had secured much more marks than the petitioner herein inasmuch as, the Respondent No.3 had secured 65.6 marks whereas the petitioner had secured only 61.61 marks and it was for this reason, the order of appointment in favour of petitioner was cancelled vide order dated 21.06.2006.

3. Against the said cancellation order, the Petitioner had preferred a representation on 26.08.2006, however, as no decision had been taken on the said representation, a Writ Petition (S) No. 17 of 2007 was filed by him which was disposed of on 15.01.2007 directing the Respondents to decide the pending representation of the Petitioner. Subsequently, vide order dated 14.02.2007, the Collector, Kanker, after scrutinizing the entire papers found that there was no merit in the claim put forth by the Petitioner inasmuch as, the action on the part of the Respondents in giving appointment to the Respondent No.3 was after taking into account the merits of each of the candidates wherein she (respondent No.3) was found to be the most meritorious even more meritorious than the candidates who had filed the complaint and accordingly rejected the representation of Petitioner.
4. The Petitioner has not been able to refute the said findings. He also failed to show that merit list so prepared by the Respondents was improper and illegal

and that the Respondent No.3 was less meritorious. It also reflects from the order impugned that the Collector, Kanker while deciding the petitioner's representation has carefully considered all the objections and contentions put forth by him in his representation and the order is well reasoned speaking order. In the absence of any such specific material to substantiate the contention and on the other hand there being a reasoned speaking order, this court does not find any merit in this petition warranting interference.

5. Accordingly, the petition fails and is dismissed. No order as to costs.

Sd/-

(P.Sam Koshy)

JUDGE