

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6619 of 2009**

Jayant Kishore Sahu, S/o Shri DP. Sahu, aged about 43 years, R/o C/o
Sahu Medical Store, Kotra Road, Raigarh (CG)

---- **Petitioner**

Versus

1. State Of Chhattisgarh through the Secretary, Department of Panchayat & Gramin Vikas, DKS Bhawan, Mantralaya, Raipur (CG)
2. Chief Executive Officer, District Panchayat, Raigarh (CG)
3. Chhattisgarh Professional Examination Board, through Controller, Raipur (CG)

---- **Respondents**

For Petitioner:

Shri Sunil Otwani, Advocate.

For Respondents/State:

Smt Smita Ghai, Panel Lawyer.

Single Bench: **Hon'ble Shri P. Sam Koshy, J**
Order On Board

7.12.2015

1. The challenge in the present Writ Petition is to the order dated 7.1.2009 (Annexure P-1) whereby the representation preferred by the Petitioner for grant of age relaxation on the ground of his previous employment with the Higher Secondary School, Distt. Ghogri, Block Malkharoda for the purpose of getting the employment with the Respondents was rejected.

2. It is pertinent to mention that this is the second round of litigation. The first Writ Petition preferred by the Petitioner for the same reason i.e. W.P.(S) No.5719/2008 was disposed on 16.10.2008 with a direction that the Petitioner shall file an appropriate representation to the authorities concerned who in turn, shall decide the same.

3. Pursuant to the same, the representation preferred by the Petitioner stood decided and his claim was rejected by the impugned order in the present writ petition.

4. Perusal of Annexure P-1 would show that the representation of the Petitioner was rejected on the ground that the School where the Petitioner was performing his duties was an unaided non-government institution and was a School run by the Gram Panchayat and therefore, it would not fall within the category of a Government School and hence the Petitioner was dis-entitled to the benefit of age relaxation.

5. Learned State Counsel, in their return also have categorically stated that since the institution where the Petitioner was earlier working was not a Government institute and hence he cannot be extended the benefit of age relaxation and therefore, his representation was rejected and the Writ Petition does not call for any interference.

6. To the said reply of the State Government, the Writ Petitioner has not filed any rejoinder nor had further produced any documents to show that the contention of the State Government in their reply is incorrect.

7. In the absence of any rebuttal to the contentions put forth by the State Government in their return, this Court is of the opinion that no substantive material has been placed before this Court or for that matter, during the course of the arguments to show that any illegality has been committed by the authorities while rejecting the representation.

8. Thus, the present Writ Petition being devoid of merits, the same is accordingly rejected

Sd/-
(P. Sam Koshy)
J U D G E