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IN THE HIGH COURT OF CHATTISGARH, BILASPUR

WRIT PETITION NO. 2680 /2003

Sheikh Shahidulla., s/o Sheikh Peer -
Po; West Chirimiri,
Dist: Korea, (CG)

PETITIONER

Versus

P. R. No. 2439/03
Presented by Shri. G. N. K. K. Padhy
dated 19.08.03

Coal India Limited
Through Its Chairman-cum-Managing Director
10, Netaji Subhash Road,
Kolkata - 700 001

RESPONDENT No.1

Eastern Coalfields Limited
Through its Chairman cum Managing Director
PO No 60, Seepat Road,
Bilaspur (CG)

RESPONDENT No.2

Writ Petition under Article 226/227 of the Constitution of India.

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH: HON'BLE SHRI JUSTICE SANJAY K. AGRAWAL

WRIT PETITION NO. 2680 OF 2003

PETITIONER

Sheikh Shahidulla.

Versus

RESPONDENTS

Coal India Limited & another.

**(WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION
OF INDIA)**

Present:

Mr. Garry Mukhopadhyaya, counsel for the petitioner

Mr. K.K. Shrivastava, counsel for the respondents.

ORAL - ORDER

(Passed on 13-02-2015)

(1) The petitioner has filed this petition stating *inter alia* that the examination were held for the post of Management Trainee for non executive cadre to executive cadre and applications were invited from all the eligible candidates. Examination was held on 26.04.1998 and the petitioner appeared in the said examination but later on results were not declared.

(2) This petition has been filed for directing the respondents to declare the result pursuant to the advertisement of the examination held by respondents.

(3) Respondents have filed their return stating *inter alia* that immediately after the examination, age of the retirement of the executive cadre was enhanced, and therefore, feasibility of continuing the new recruitment was considered and it was found that it was not necessary to continue the



recruitment on the post of Management trainee and ultimately Coal India Limited decided to drop[✓] the process of recruitment and, therefore, recruitment were not concluded and results were not declared.

(4) After hearing learned counsel for the parties and in view of the stand taken by the respondents, it is clear that Coal India Limited has taken a policy decision not to make new appointment from the other sources leading to dropping of the entire proceeding for recruitment. Once the recruiting Authority has taken a policy decision not to continue with recruitment process holding that age of persons already working in the post of Management Trainee has been increased; and need to make fresh recruitment has come to an end on account of post not being available for filling by recruitment, no writ can be issued to the respondents to declare the result pursuant to the advertisement and the examination held by Coal India Limited.

(5) Thus, in view of the policy decision taken by the Coal India Limited, writ petition deserves to be and is accordingly dismissed.

(6) No order as to costs.

Sd/-
Sanjay K. Agrawal
Judge