

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 353 of 2015**

Narendra Kumar Pandey S/o Shri K.L.Pandey, aged about 56 years, working as Sports Teacher, Gujrati Higher Secondary School, Raipur, Devendra Nagar Sector - 4, Raipur, Police Station Devendra Nagar, Tahsil & District Raipur Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh, through the Secretary, School Education Department, Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Director, Public Instructions, Raipur, Tahsil and District Raipur, Chhattisgarh.
3. The District Education Officer, Raipur, Tahsil and District Raipur.
4. President, Gujrati Shikshan Sangh, Jai Stambh Chowk, K.K.Marg, Raipur, District Raipur, Chhattisgarh.
5. Manorama Sharma Incharge Principal, Gujrati Higher Secondary School, SEctor-4, Raipur, Police Station Devendra Nagar, Tahsil and District Raipur, Chhattisgarh.

---- Respondents

For Appellant	:	Shri B.D.Badgaiyan, Advocate.
For Respondent/State	:	Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment on Board**Per Navin Sinha, Chief Justice****23/07/2015**

1. The present appeal arises from order dated 9.5.2014 dismissing Writ Petition (S) No. 2345 of 2014. The Learned Single Judge declined to interfere with the challenge by the Appellant made to the appointment of Respondent No. 5 as Incharge Principal.
2. The appeal is barred by 377 days. Learned Counsel for the Appellant submits that he was not aware and was ignorant of the requirement to move the Court expeditiously.
3. In service matters with regard to appointment and that too when the Appellant aspires to be an Incharge Principal, awareness of rules, laws and

regulations were all the more imperative. The delay is extraordinary. The explanation in paragraph 2 of the application for condonation of delay does not reveal any sufficient cause whatsoever for consideration and reads as follows:

"2. That due to inadvertently mistake done by the appellant because he was not aware about proceeding of law therefore he could not filed the writ appeal within prescribed time. "

4. Obviously, the private Respondent having been appointed as Incharge Principal must have been sanguine and her continuance fructifying third party rights. We are not inclined to interfere with it at this belated stage when the Appellant does not appear to have been vigilant for protection of his own interests. The controversy relates to an interim arrangement and not substantive appointment as Principal.

5. Prayer for condonation of delay is rejected. Consequently, the appeal fails.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE