

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Review Petition No. 84 of 2015**

District Water and Sanitation Mission, Through: Its Secretary, Bharat Pensioner Samaj Bhawan, First Floor, Collectorate Premises, Bilaspur, Chhattisgarh, Now Zila Panchayat Mungeli, District Mungeli, Chhattisgarh.

---- Petitioner**Versus**

1. Chandra Singh Rajput Aged about 33 years, S/o Shri Subhash Chandra RAjput, Presently posted as Cluster Coordinator, Tehsil Lormi, District Bilaspur Chhattisgarh, Now District Mungeli, Chhattisgarh.
2. Komal Singh Rajput, Aged about 38 years, S/o Late Shri Udho Singh Rajput, Presently posted as Block Resource Coordinator, Block Resource Centre, Tehsil Lormi, District Bilaspur Chhattisgarh, Now District Mungeli, Chhattisgarh).

(Respondent No. 1 State of Chhattisgarh, Respondent No. 2 Director, Public Health Engineering, Respondent No. 3, C.G. State Water and Sanitation Support has not been impleaded as they are not of the affected parties).

---- Respondents

For Petitioner : Shri Prafull N. Bharat, Additional Advocate General

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Goutam Bhaduri, J.

Order on Board**Per Navin Sinha, Chief Justice****20/08/2015**

1. The matter is listed for removal of defect in classifying it as an MCC application instead of a Review Application. Leave is sought to make necessary corrections during course of the day and is granted. The Review Application is then taken up for consideration at this stage itself with consent of the Learned Additional Advocate General.
2. The Respondents were appointed on contract basis for a specified tenure. A fresh advertisement was issued in 2012 for recruitment on contract

basis which was assailed as not being in accordance with law. By order dated 23.12.2014 it was held that considering the passage of time, the availability of a new work force, the Petitioner ought to publish a fresh advertisement.

3. Review is sought of the order dated 23.12.2014, submitting that it could not be brought to the attention of the Court that the post of Block Resource Cluster Coordinator and Resource Cluster Coordinator in different blocks/districts for which the advertisement had been issued in 2012 has itself stood abolished. The order is therefore incapable of compliance by issuance of advertisement for a non-existent post.

4. The Respondents were appointed on contract basis as Block Resource Cluster Coordinator and Resource Cluster Coordinator in different blocks/districts for a specified duration which had run its course. In view of the fact that the post itself has been abolished we do not consider it necessary to issue notice to them. No prejudice is to be caused to them.

5. The review application is allowed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(Goutam Bhaduri)
JUDGE