

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3471 of 2011

- Jitendra Kumar Tiwari S/o Mohan Lal Tiwari, aged about 34 years, R/o Near Pani Tanki Chandaniyapara, Ward No. 16, Janjgir, Distt. Janjgir Champa, Cg

---- Petitioner

Versus

1. State Of Chhattisgarh, through the Collector, Janjgir, Distt. Janjgir-Champa (C.G.)
2. The District Education Officer, Janjgir-Champa, Distt. Janjgir Champa, Cg
3. The Secretary, Akaltara, Education Trust, Akaltara, Distt. Janjgir Champa, Cg
4. The President, Akaltara, Education Trust, Akaltara, Distt. Janjgir Champa, Cg
5. The Principal Rajendra Kumar Singh, Higher Secondary School, Akaltara, Distt. Janjgir Champa, Cg

---- Respondents

For Petitioner	Shri S. Upadhyay, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

12/10/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner is aggrieved by his non selection/non appointment by the respondent Nos.3 to 5, who proceeded to recruit Vyayam Shikshak

in Rajendra Kumar Singh, Higher Secondary School, Akaltara.

3. Perusal of the advertisement (Annexure-P-4) would indicate that the said school which is run by the Akaltara Education Trust is a government aided school. Thus, the said recruitment is governed under the provisions of Chhattisgarh Ashaskiya School Viniyaman Adhiniyam, 1975 and the Chhattisgarh Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ki Bharti) Niyam, 1979 (for short 'Niyam, 1979').
4. In view of the availability of the alternative remedy under Rule 18 of the Niyam, 1979, the writ petition is not maintainable, therefore, it is dismissed with liberty to the petitioner to avail the alternative remedy.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala