NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2563 of 2015

Ram Kumar Banjare S/o Shyam Lal Banjare, Aged about 39 years Working as Assistant Grade-3, Pithoura, Tahsil Pithoura, District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Revenue Cum Disaster Management Department, Mahanadi Bhawan, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh.
2. Joint Secretary, Revenue Cum Disaster Management Department, Mahanadi Bhawan, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh.
3. Secretary, Chhattisgarh Professional Examination Board, Raipur, Chhattisgarh.
4. Collector, Korba, District Korba Chhattisgarh.

---- Respondents

For Petitioner	:	Shri C. J. K. Rao, Advocate
For respondents/State	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

17/07/2015

Grievance of the petitioner is that the petitioner is being denied the benefit of grant of 10% relaxation applicable to the candidates belonging to Scheduled Caste, Scheduled Tribe and Other Backward Category.

The petitioner belongs to Scheduled Caste category and was working in the post of Assistant Grade-3. He participated in the departmental examination of Naib Tahsildar and obtained 47.368 in first paper and 64.286 marks in second paper but he was not considered to the post of Naib Tahsildar. According to the petitioner, he has not been granted 10% relaxation which is otherwise provided to the reserved category candidates as per circular of the State Govt. dated 15.06.1995.

Counsel for the petitioner submits that a similar writ petition, i.e. W.P. (S) No. 1129 of 2015 wherein one Suresh Patle pertaining to the Commercial Tax department was also denied granting of 10% relaxation, was disposed of by this Court vide order dated 31.03.2015 with a direction to consider the grievance of the petitioner on the representation made by him within a stipulated period. He submits that the petitioner in the said writ petition subsequently has been given the advantage of 10% relaxation and has also been declared successful to the post of commercial tax Inspector. He further submits that the instant writ petition may also be disposed of with a direction to the respondents to consider the representation of the petitioner Annexure P-8 filed on 27.06.2015 keeping in view the order passed by this Court in W.P.(S) No.1129 of 2015 on 31.03.2015.

State counsel, on verification, does not have any objection if the representation of the petitioner is decided by the respondents keeping in view the order of this Court cited by the counsel for the petitioner.

Considering the total facts and circumstances of the case and also Keeping in view the order passed by this Court on 31.03.2015 in W.P.(S) No.1129 of 2015 the present writ petition is also disposed of with a direction to the respondents to consider the representation of the petitioner in the light of the circular of the State Govt. dated 15.06.1995. In the event the petitioner is found entitled for the relief claimed for as per the notification dated 15.06.1995 issued by the General Administrative Department, the consequential relief be also given to the petitioner.

With the above observation the instant writ petition stands disposed of.

Sd/-
(P Sam Koshy)
Judge

Bhola