NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Appeal No. 459 of 2015

1. Amrish Dubey S/o Bhomeshwar Prasad, aged about 28 years, resident of village Achholi, Tehsil Dondi Lohara, District Balod, Chhattisgarh.
2. Mohini Sahu D/o Chunni Lal Sahu, aged about 28 years, Resident ofWard No. 13, near Vanopaj Naka Sanjay Nagar, Dondi Lohara, District Balod, Chhattisgarh.
3. Gajendra Kumar S/o Narendra Kumar, aged about 28 years, resident of Mararpara, Masjid Road, Ward No. 9, Balod District Balod, Chhattisgarh.
4. Rakesh Kumar Sonkar, S/o Tijau Ram, aged about 25 years, resident of village Kohangatola, Tehsil and District Balod, Chhattisgarh.
5. Roopkishan S/o Ramkumar, aged about 26 years, resident of Shikaripara, Talabpara, Balod Tehsil and District Balod, Chhattisgarh.
6. Rakesh Kumar Yadav S/o Satyanarayan Yadav, aged about 28 years, resident of village Shivani, Post Jhalamala, District Balod, Chhattisgarh.
7. Reman Lal S/o Heera Lal aged about 28 years, resident village Manod, Post Tarod, District Balod, Chhattisgarh.
8. Dhaneshwari D/o Vijay Kumar, aged about 21 years, Resident of village Heerapur, Post Admabad, Tehsil and District Balod, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh, Through: Secretary, Department of Revenue and Disaster Manager, Mantralaya, Mahanadi Bhawan, Naya Raipur.
2. Collector, Balod District Balod, Chhattisgarh.
3. Director, Land Records, Chhattisgarh, Government Raipur, Chhattisgarh.
4. Tushant Kumar S/o Hariram Sinha, aged about 27 years, R/o village Boridkala, Post Shantipur, Tehsil Gurur, District Balod, Chhattisgarh.

5. Tarranum Khan D/o Sardar Sabir Khan, aged about 25 years, R/o Shikaripara, Balod Tehsil & District Balod, Chhattisgarh.
6. Chentan Ram Sahu S/o Abhay Ram Sahu, aged about 30 years, R/o village Usarwara, Tehsil Gurur, District Balod, Chhattisgarh.

---- Respondents

For Appellants	:	Shri Raza Ali, Advocate
For Respondents/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

23/09/2015

1. The present appeal arises from order dated 14.8.2015 dismissing Writ Petition (S) No. 4026 of 2014.

2. Learned Counsel for the Appellants submits that pursuant to the earlier selection process, they had qualified and were included in the select list. Frivolous complaints were made alleging mass irregularities in the conduct of the examination and preparation of select list. On enquiry, no merit was found in the complaints. The select list was therefore arbitrarily cancelled and fresh selection process commenced. The Appellants came to this Court and when interim relief was denied, they participated in the fresh selection process also.

3. Learned Counsel for the State points out that on account of large number of complaints received, the entire selection process itself was cancelled and for which there was no need for compliance with principles of natural justice as it was made applicable uniformly to one and all. The Appellants were only empanelled in the select list which created no vested right in them. The cancellation of the selection process in the facts of the case cannot be termed arbitrary. The Learned Single Judge has further observed

that in the meantime, fresh selection process has also been completed and a new select list prepared in which the Appellants do not figure.

4. We have considered the submissions.

5. Keeping in mind that empanellment in the select list create no vested right of appointment, that cancellation of selection process was made uniformly and not in any malafide or discriminatory manner with regard to chosen few, fresh selection process completed and a new select list prepared in which the Appellants do not figure, we find no reason to interfere with the order under appeal.

6. The writ appeal is dismissed.

Sd/- Sd/-

(Navin Sinha) (P. Sam Koshy)
CHIEF JUSTICE **JUDGE**

Subbu