

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Appeal No. 448 of 2015**

Bhuwan Lal Nirmalkar S/o Shri Shiv Singh Nirmalkar, Aged about 46 years,  
Resident of village Junwahi, Post Bhaisma, Police Station Uрга, Tahsil and  
District Korba, Chhattisgarh.

**---- Appellant****Versus**

1. State of Chhattisgarh, Through Secretary, Department of Panchayat and Rural Development, New Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. The Director, Panchayat and Social Welfare Chhattisgarh Raipur, District Raipur, Chhattisgarh.
3. The District Education Officer, Korba, Korba, Chhattisgarh.
4. The Chief Executive Officer, Janpad Panchayat Kartala, District Korba, Chhattisgarh.

**---- Respondents**


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| For Appellant         | : | Shri Ravi Bhagat, Advocate.                  |
| For Respondents/State | : | Shri B. Gopa Kumar, Deputy Advocate General. |

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

**Judgment on Board****Per Navin Sinha, Chief Justice****28/09/2015**

1. The present appeal arises from order dated 14.8.2015 dismissing Writ Petition (S) No. 2957 of 2015 as highly belated in nature.
2. Learned Counsel for the Appellant submits that directions may only be given for disposal of the representation. The Learned Single Judge ought to have granted at least that limited relief.
3. Learned Counsel for the State has opposed the appeal.
4. According to the Appellant, he was appointed temporarily as Shiksha Karmi for the academic year 1995-1996. His services were retained till 1997-

1998 and discontinued thereafter. He made oral requests and gave written representations which evoked no response.

5. The Learned Single Judge held that the institution of the writ petition 17 years later was highly belated . If the appointment of the Appellant was itself temporary extended from year to year, he had no vested right to demand continuance. In our opinion, there is always a sense of urgency in service matters as the post of Shiksha Karmi on which the Appellant was working could not have remained vacant and must have been filled up by appointment of other for a purpose as important as imparting education. Furthermore, the appeal states that the Appellant made oral requests and gave written representations. In a writ petition, documents are primary evidence. The Learned Single Judge has amply observed that there was a bald statement with regard to having made representations. No date has even been mentioned let alone a copy annexed.

6. In conclusion, we find no reason to interfere with the order under appeal. The appeal is dismissed.

Sd/-

(Navin Sinha)  
**CHIEF JUSTICE**

Sd/-

(P. Sam Koshy)  
**JUDGE**