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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5787 of 2011

- Moti Das Sahu S/o Late Do Das Sahu Aged about 51 years, Vice President, Seva Sahkari Maryadit, Arjuni, (Regd. No.63), Tehsil Dongargaon, Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh through Secretary, Co-operative Department, D.K.S. Bhawan, Raipur (C.G.)
2. Registrar Co-Operative Societies, Raipur, District Raipur (C.G.)
3. Collector Rajnandgaon, (Ex-Officio Secretary Of Zila Sahakari Kendriya Bank, Maryadit, Rajnandgaon
4. Zila Sahakari Kendriya Bank, Maryadit Through Chief Executive Officer, Zila Sahakari Kendriya Bank, Maryadit, Rajnandgaon, Cg
5. President, Zila Sahakari Kendriya Bank, Maryadit, Rajnandgaon, Cg
6. Amit Namdeo S/o Babulal Namdeo, Clerk, Zila Sahakari Kendriya Bank Maryadit, G.E. Road, Rajnandgaon (C.G.)
7. Ku. Dimple Sunaina D/o Shri S. Sonraja, Clerk, Zila Sahakari Kendriya Bank, Maryadit, Ge Road, Rajnandgaon, Cg
8. Gajendra Kumar Bhardwaj S/o Bedram Bharadwaj, Community Manager, Zila Sahakari Kendriya Bank Maryadit, G.E. Road, Rajnandgaon, Cg
9. Namita Shrivastava D/o Ravishankar Shrivastava, Community Manager, Zila Sahakari Kendriya Bank Maryadit, G.E. Road, Rajnandgaon, Cg

---- Respondents

For Petitioner	Shri Anup Majumdar, Advocate with Shri Basant Dewangan, Advocate
For Respondent/State	Shri Shashank Thakur, GA
For Respondents No.4 to 9	Shri P. K. C. Tiwari, Senior Advocate with Shri K. G. Kela, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/02/2016

1. The petitioner is an elected representative of Sewa Sahakari Maryadit, Arjuni, Tehsil Dongargaon, District Rajnandgaon. He has called in question the selection and appointment of Clerk-cum-Computer Operator and Society Manager in the year 2008 pursuance to the advertisement dated 16.08.2008.
2. The advertisement was issued for appointment of 65 Clerk-cum-Computer Operator and 39 Society Manager. Admittedly, the petitioner was not a candidate in the said selection. Moreover, all the selected candidates have not been joined in the writ petition, even though the petitioner is claiming quashment of the entire selection.
3. It is settled by the Supreme Court that a person, who himself is not a candidate in the selection process, cannot call in question the selection of others. (See : **R. K. Jain v. Union of India¹ and Anil Sharma v. State of Chhattisgarh and another** and other connected matters²). Similarly, it is equally settled that when the selection is called in question, all the selected/appointed candidates have to be arrayed in the writ petition. (See : **Ranjan Kumar etc. etc. v. State of Bihar & Ors.³**)
4. In view of the settled legal position, the writ petition is not maintainable. It is accordingly dismissed as not maintainable.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala

1 1993 (4) SCC 119

2 WPS No.1875/2015, decided on 18.12.2015

3 2014 (3) Supreme 646