

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No. 3384 of 2003**

Akshay Kumar Sahu S/o Shri Narsingh Sahu aged about 28 years Bachelor in Homoeopathy Medicine and Surgery R/o village Kudamkela Police Station Gharghoda District Raigarh (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through Principle Secretary Panchayat/Local Self Govt. Deptt. Govt. of Chhattisgarh Mantralaya D.K.S. Bhawan G.E. Road Raipur (Chhattisgarh)
2. Janpad Panchayat Kharsia through Chief Executive Officer also Chairman Selection Committee Janpad Panchayat Kharsia Tah. Kharsia Distt. Raigarh (Chhattisgarh)
3. Shri Ishwarlal Patel Homoeopathy Medical Officer (Contract appointment) Janpad Panchayat Kharsia Tah. Kharsia Distt. Raigarh (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri V.G. Tamaskar, Advocate.
For Respondent/State	:	Shri Prafull N. Bharat, Additional Advocate General.
For Respondent No.2	:	Shri Shailendra Shukla, Advocate
For Respondent No.3	:	Shri H.S. Patel, Advocate

Hon'ble Shri Navin Sinha, Chief Justice
Order on Board

21/01/2016

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. The Petitioner assails the appointment of Respondent No.3 as Homeopathy Medical Officer alleging that he was a diploma holder and had secured less marks in the qualifying examination.
3. Respondent No.2 in paragraph-3 of its counter affidavit has explained that Respondent No.3 had requisite experience while the Petitioner had not submitted any experience certificate and therefore could not secure any marks under that head, resultantly Respondent No.3 obtained higher marks. There is no rejoinder to the same even though the counter affidavit was served as far back as 12.12.2003.
4. The writ petition is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE