

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 395 of 2016**

Khileshwar Sahu S/o Shri Chandraprakash Sahu, Aged About 34 Years
 Posted As Computer Operator, Janpad Panchayat Nagri, District Dhamtari,
 R/o Village Chhipli, Tahsil Nagri, District Dhamtari Chhattisgarh Petitioner

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mantralaya New Raipur P.S. Rakhi, District Raipur Chhattisgarh
2. The Collector, District Dhamtari Chhattisgarh
3. The Chief Executive Officer Zila Panchayat, Dhamtari, District Dhamtari Chhattisgarh
4. The Janpad Panchayat, Nagri Through The Chief Executive Officer, Janpad Panchayat, Nagri, District Dhamtari Chhattisgarh
5. Shiv Kumar Sahu, S/o Late Narayan Singh Sahu, R/o Village Dihipara, Nagri, Tahsil Nagri, District Dhamtari Chhattisgarh

---- Respondents

For Appellant	: Shri D.N. Prajapati, Advocate.
For Respondent/State	: Shri Yashwant Singh Thakur, Dy. Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**Per Deepak Gupta, Chief Justice****23/08/2016**

1. This appeal is directed against the order dated 12.07.2016 passed in Writ Petition (S) No. 1916 of 2016 by the learned Single Judge of this Court.
2. It is urged by Shri Prajapati that the order is final in nature in the sense that the learned Single Judge has given a finding that there is no material on record to show that before regular appointment any process of recruitment by inviting applications through open advertisement was

followed.

3. Even while deciding an interim application, the Court is bound to make some observation and this observation is only for the purpose of deciding the interim application. Therefore, the order under challenge has no element of finality attached to it.

4. This appeal is not maintainable in view of the proviso to Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006.

5. The writ appeal is dismissed.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(Sanjay K. Agrawal)
JUDGE