

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(S) No. 2644 of 2013**

Santosh Kumar Deshlahre S/o Late Sekhudas, aged about 30 years, R/o
Ward No. 10, Jaistambh Chowk, Berla, P.S. Bemetara, District
Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary Deptt. of Health and Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, Dist Raipur, CG
2. Collector Bemetara, Distt. Bemetara, CG
3. Chief Medical & Health Officer, Bemetara, Distt. Bemetara, CG
4. Shatruhan Gulmohre S/o Murli Gulmohre presently working as Driver (Ambulance), Samudayik Helth Centre, Bemetara, Dist. Bemetara, CG
5. Station House Officer, Bemetara, PS & Distt. Bemetara, CG

---- Respondents

For Petitioner	:	Shri Pawan Shrivastava, Advocate
For Respondents/State	:	Smt. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board By****15.01.2016**

The petitioner through the present writ petition has questioned the order of appointment granted to respondent no.4 on the post of driver on 02.08.2013.

2. According to the counsel for the petitioner, respondent no.4 had fraudulently got the said order of appointment issued in his favour and for which there was an enquiry conducted by the Authorities wherein respondent no.4 was found not to be fit for the said post yet the concerned Authority has granted appointment to him.

3. However, the State in their reply have come up with a stand that pending the writ petition, the order of appointment of respondent no.4 has been

cancelled and the respondent/State have already passed an order in favour of the present petitioner on 26.02.2014 granting him the appointment, copy of which is produced before this Court by the counsel for the petitioner. Counsel for the State submits that the said order of appointment has been issued temporarily subject to the outcome of the present writ petition as well as the petition filed by respondent no.4 challenging his termination order in W.P.(S) No. 2914 of 2013.

4. So far as the present writ petition is concerned, the documents produced before this Court along with the reply filed by the State as well as the document shown by the petitioner today show that the relief sought for by the petitioner in this petition has already been granted in as much as the order of appointment of respondent no.4 has been cancelled and the petitioner has been granted the appointment.

5. Thus, accepting the appointment order issued in favour of the petitioner nothing further remains to be adjudicated upon in the present writ petition. Accordingly, the petition stands disposed of as having become infructuous.

6. Needless to mention that this Court has not expressed any opinion on the merits of the case i.e. W.P.S No. 2914 of 2013 filed by respondent No.4 challenging the order of his termination.

**Sd/-
P. Sam Koshy
Judge**