

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 278 of 2016**

- Satish Chhugani S/o Shri K. L. Chhugani, Aged About 39 Years R/o A-10, Gayatri Nagar, Near Jaganath Temple, Raipur, District Raipur (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through : Secretary, Department Of Agriculture, Mahanadi Bhavan, Capital Complex, New Raipur P. S. Rakhi, District Raipur (Chhattisgarh).
2. The Indira Gandhi Krishi Vishwavidyalaya, Through The Registrar, Krishak Nagar, Raipur, District Raipur (Chhattisgarh) P I N 492012.
3. The State Of Chhattisgarh, Through Secretary, Department Of Tourism, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
4. Mr. Gore Lal Thakur, Presently Working As Superintendent Physical Plant (S P P), Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur (Chhattisgarh) P I N 492012.

---- Respondents

For Appellant	:	Shri Prateek Sharma, Advocate
For Respondent/State	:	Shri Arun Sao, Deputy A.G.

Hon'ble The Chief Justice &
Hon'ble Shri Justice Sanjay Agrawal

Order On Board**23/11/2016****Per Deepak Gupta, C.J.**

This appeal is totally misconceived. The contractor, who is given the contract of construction of the University (respondent No.2), has challenged the appointment of Superintending Engineer in the University (respondent No.2) on the ground that he does not belong to the category as specified by the State Government.

2. First of all, we are of the view that the post of Superintending Engineer is not a public authority, regarding which, writ of Quo Warranto would lie. Even assuming that a writ of Quo Warranto would lie, how can a contractor, who is given the work of construction by the University, be permitted to challenge the appointment of Superintending Engineer in the University, who obviously must be questioning the quality of the construction being done by the contractor.

3. We, therefore, find no merit in this appeal, which is accordingly dismissed being devoid of merit.

Sd/-

(Deepak Gupta)
Chief Justice

Sd/-

(Sanjay Agrawal)
Judge