

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 1944 of 2016**

- Basant Kumar Bandhe S/o Late Shri Ramji Bandhe, Aged About 22 Years, Assistant Grade III, Office Of Executive Engineer, Public Works Department, Division 1, Raipur, (Chhattisgarh), R/o Village Budhera, Post Kharora, P.S. Kharora, Tahsil & Block Tilda, Distt. Raipur, (Chhattisgarh)

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Public Works Department, Mahanadi Bhawan, New Raipur, Distt. Raipur, (Chhattisgarh)
2. Engineer In Chief, Public Works Department, Raipur, Distt. Raipur, (Chhattisgarh)
3. The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Raipur, (Chhattisgarh)

---- **Respondents**

---

**Appearance**

|                           |   |                            |
|---------------------------|---|----------------------------|
| For the Petitioner        | : | Shri A.S. Rajput, Advocate |
| For the Respondents/State | : | Shri R.K. Gupta, Dy. A.G.  |

---

**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order on Board**

**18-05-2016**

1. Heard.
2. Learned counsel for the parties would not dispute that the impugned order of cancellation of appointment issued by the Engineer-in-Chief, PWD, Raipur (C.G.) on 12-03-2015 (Annexure P/1) was also issued in relation to other similarly placed candidates who had preferred writ petitions before this Court bearing W.P.(S) No.973 of 2015 and other connected matters. Although the said writ petition was dismissed by the Single Judge, in Writ Appeal No.484 of 2015 and other connected writ appeals decided by the Division Bench on 18-02-2016, the order of cancelling of appointment has been set aside by passing following operative terms:

“16. We therefore are unable to sustain the order under appeal by holding that the entire selection process stands vitiated and has to be set at naught with directions for

proceeding afresh all over again. The orders of the State Government dated 10.3.2015 and individual orders of termination pursuant thereto alongwith the order under appeal are set aside. The appellants are directed to be reinstated but without back- wages.

17. Nothing in the present order precludes the Respondents, if they so consider it necessary from identifying an individual illegal appointment and proceeding against the concerned in accordance with law.”

3. For the aforesaid reasons, the writ petition is allowed in terms of the operative part quoted above and as a consequence the order of cancelling petitioner's appointment is quashed.

Sd/-

( **Prashant Kumar Mishra** )  
Vacation Judge