

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1508 of 2009

1. Dinesh Kumar Mishra, S/o Shri N.P. Mishra, aged about 39 years, Lab Attendant, Govt. VYTPG Autonomous College, Durg.
2. Rajkumar Chauhan S/o Late Shri Baijnath Chauhan, aged about 30 years, Lab Attendant Govt. V.Y.T.P.G. Autonomous College Durg
3. Chandeshwar Singh Diwan S/o Shri Vijay Singh Diwan, aged about 37 years, Lab Attendant Govt. D.B. Girls, P.G. College Raipur (Cg)

---- Petitioner

Versus

1. State Govt. Of Chhattisgarh, through the Secretary, Higher Education, DKS Bhawan, Raipur (CG).
2. Commissioner, Higher Education Directorate, Science College Campus, Raipur (Cg)

---- Respondent

For Petitioners	None
For Respondent/State	Shri S.P. Kale, Dy. Adv. General

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/04/2017

1. Perused.
2. Petitioners are seeking promotion from the post of Lab Attendant to the post of Lab Technician. The petitioners have also challenged the impugned advertisement (Annexure – P/1) by which direct recruitment for the post of Lab Technician was advertised.

3. Learned Dy. Adv. General would submit that the petition was filed in the 2009, however, the petition was admitted for the first time in June, 2015 and in the meanwhile, there is no interim order by this Court, therefore, the recruitment process pursuant to the advertisement has already been attained finality in the year 2009 itself. He would submit that the petitioners are not claiming appointment pursuant to the impugned advertisement, but they are seeking promotion on the same post of Lab Technician, which is thrown open for direct recruitment, on the ground that if the direct recruitment takes place the petitioners shall loose their chance of promotion.
4. In view of the fact that the selection process is already complete and the petitioners have not amended the writ petition to implead the persons who have been selected and offered appointment as Lab Technician, therefore, the writ petition is not maintainable.
5. Accordingly, the writ petition is dismissed as not maintainable. No order as to costs.

Sd/-

Judge

Prashant Kumar Mishra

Gowri