

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6407 of 2017

Rakesh Roy Choudhary S/o Rathindra Nath Choudhary Aged About 33 Years
R/o Village Pakhanjur, Tahsil & District North Bastar Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Commissioner Cum Director, Directorate Of Panchayat Naya Raipur, Raipur Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat North Bastar Kanker Chhattisgarh District North Bastar Kanker Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Janjgir Champa, District Janjgir Champa Chhattisgarh.
5. Chhattisgarh Professional Examination Board, Through Its Secretary, Raipur, District Raipur Chhattisgarh

---- Respondents

Shri Mateen Siddiqui, counsel for the petitioner/s.
Shri Shashank Thakur, Govt. Advocate and Ms. Sunita Jain, Panel Lawyer for the State.
Dr. Saurabh Pande, counsel for respondent No.5 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/11/2017

The petitioner has challenged the select list of candidates prepared in Dantewada and Kanker districts on the ground that even those candidates, who have been awarded negative marks, are going to be appointed as Lecturer Panchayat.

2. Learned counsel for the petitioner submits that the petitioner has, though, given an option of District Janjgir - Champa and obtained 36.25 marks, he could not get place in the select list as more meritorious candidates are available in the

district. He submits that if in other districts, suitable candidates are not available, suitable candidates of other districts ought to be considered for appointment. He also submits that the present situation of selected candidates of negative marks arisen because no minimum marks have been fixed in the examination.

3. The advertisement shows that it required the candidates to give option for a particular district and the candidature was confined to their districts and not to other district. The petitioner had given his option for district Janjgir - Champa. Moreover, even though in the advertisement and in the process of selection, no minimum marks was prescribed, the petitioner did not raise any protest to the process of selection. That means that the process of selection was challenged by the petitioner only when he did not qualify in the examination.

4. For aforesaid reasons, the petitioner, I find, has no *locus standi* to challenge the process of selection and appointment in other districts because his candidature was confined only to District Janjgir - Champa.

Irrespective of the merits of the submission regarding, the manner in which the selections are being made for appointment to the post of Lecturer of even those who have obtained negative marks, for lack of *locus standi* on the part of the petitioner, relief cannot be granted in the petition filed by the petitioner. Therefore, this petition is liable to be dismissed and is accordingly dismissed on the ground that the petitioner has no *locus standi*.

Sd/-
(Manindra Mohan Shrivastava)
Judge