

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6915 of 2017

Sunil Kumar Sidar S/o Firuram Sidar Aged About 27 Years R/o Village
Jarahapara Kharod, Post Sukul Para Kharod, Tahsil Pamgarh District Janjgir
Champa Chhattisgarh. **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat And Rural Development Mahanadi Bhawan Mantralaya New Raipur Chhattisgarh.
2. Collector, District Janjgir Champa Chhattisgarh .
3. Chief Executive Officer, Zila Panchayat District Janjgir Champa Chhattisgarh .
4. Lalit Kumar Kanvar S/o Ratan Singh Kanvar R/o Bokramuda Tahsil Dharamjaigarh District Raigarh Chhattisgarh. **---- Respondents**

For Petitioner	:	Mr. Ajay Kumar Barik, Advocate
For State	:	Mr. Shashank Thakur, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/12/2017

Heard.

1. This petition has been filed by the petitioner aggrieved by action of the respondents in preparing the select list placing respondent No.4 higher in order of select list and the petitioner placed in the wait list.
2. According to the petitioner, the marks obtained by the petitioner in 5th Class are higher as compared to respondent No.4 and therefore, the petitioner was more meritorious and as per the criteria, he was entitled to preferential treatment in the matter of selection as compared to respondent No.4 for appointment to Class-IV post in ST Disabled Category.
3. After going through the documents, particularly mark-sheet of the petitioner and respondent No.4, it, prima facie, appears that the petitioner's marks are more than respondent No.4. On what basis, respondent No.4 has been

placed in the main merit list and the petitioner in the wait list is not known. But then, the petitioner has a case of consideration by the competent authority. Let the Chief Executive Officer, Janjgir-Champa consider the petitioner's representation filed on 13.02.2017 followed by reminders on 10.07.2017 within 30 days. If the representation of the petitioner is not accepted, for any reason, reasoned order should be passed by respondent No.2 within a period of 15 days from the date of receipt of copy of this order. Thereafter the petitioner would be at liberty to challenge the said order in accordance with the provision contained in Chhattisgarh Panchayat (Appeal and Revision) Rules, 1995. Till the representation of the petitioner is decided and speaking order is passed, the respondent/Chief Executive Officer, Zila Panchayat, Janjgir-Champa shall not finalize the process of selection in the matter of appointment of Class -IV employee in ST Disabled Category.

4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge