

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1977 of 2017

1. Prem Lal Sahu S/o Ghasi Ram Sahu Aged About 39 Years R/o Village And Post- Tarighat, Tahsil & Police Station- Rajim, District- Gariyaband, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health & Family Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, P.S. - Rakhi, District- Raipur, Chhattisgarh
2. The Director, Directorate Health Services, Indravati Bhawan, Third Floor, New Raipur, Chhattisgarh
3. The Chief Medical & Health Officer, Bemetara, District- Bemetara, Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Shri Shikhar Sharma, Advocate
Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

03/05/2017

1. Petitioner is aggrieved by the rejection of his candidature for recruitment of Multi Purpose Health Worker (Male) on the ground that the disability suffered by the petitioner is of neck whereas the advertisement was opened for candidates who suffered from handicap of One Leg (OL) or One Hand (OH).
2. A perusal of the advertisement (Annexure – P/2) would make it manifest that the condition was mentioned in the advertisement,

therefore, it is not a case where the rules of the game have been changed midway and the posts were subsequently confined for competition amongst persons suffering disability of One Leg (OL) or One Hand (OH).

3. Even if the petitioner was allowed to participate in the recruitment process to some stage and has subsequently been declared ineligible that does not confer any right of appointment or further consideration in view of the well settled legal proposition of law that even if the name of a candidate finds place in the select list he has no right for consideration of his case for appointment. Moreover, the petitioner is not fallen within one of the category for which the advertisement was issued.
4. On due consideration, this Court does not find any substance in the writ petition. Accordingly, the writ petition is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Gowri

