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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 271 of 2017**

Gayatri Sahu, W/o Shri Dharmendra Kumar Sahu, aged about 28 years, occupation- service, Shikshakarmi Class-III, at Government Primary School, Semradih, present address Regadih, Tahsil Palari, District Raipur (C.G.)

---- Appellant**Versus**

1. The State of Chhattisgarh, Through, The Secretary, Panchayat and Social Welfare, D.K.S. Bhawan, Raipur, District Raipur (C.G.)
2. Additional Collector, Baloudabazar, District Raipur (C.G.)
3. Chief Executive Officer, Janpad Panchayat, Palari, District Raipur (C.G.)
4. M.L. Mandavi, Chief Executive Officer, District Panchayat Raipur, District Raipur (C.G.)
5. President Janpad Panchayat, Palari, District Raipur (C.G.)
6. Vice President, Janpad Panchayat Palari, District Raipur (C.G.)
7. Senjit Dahariya by caste Satnami (a person belonging to Scheduled Caste contesting candidate for Shiksha Karmi Grade -III) resident of Village Kusmi in Janpad Panchayat Palari District Raipur (C.G.)
8. Dinesh Kumar Chandrakar, S/o Shankarilal (contesting candidate of Shiksha Karmi Grade-III) resident of Village Sisdeori Janpad Panchayat Palari, District Raipur (C.G.)
9. Yen Kumar Yadav, S/o Raja Ram contesting (candidate Shiksha Karmi Grade-III) resident of Village Sundrawan Janpad Panchayat Palari, District Raipur (C.G.)
10. Chunuram Verma, S/o Khubiram (contesting candidate Shiksha Karmi Grade-III) resident of Village Ganiyari in the Police Station of Kharora District Raipur (C.G.)
11. Vinod Kumar Wadle, S/o Lakhanlal (contesting candidate of Dongargarh near Chowki District Rajnandgaon (C.G.)
12. Urmila Sahu, D/o Santosh Kumar Verma, aged about 20 years, (contesting candidate Shiksha Karmi Resident of Village Jara Tahsil Palari, District Raipur (C.G.)
13. Khemlata D/o Santosh Kumar Verma, aged about 20 years, (contesting candidate Shikshakarmi Resident of Village Jara Tahsil Palari, District Raipur (C.G.)
14. Shrila Verma, D/o Hulasram, resident of Village Tarpongi Tahsil Dharsiwa District Raipur (C.G.)
15. Dipika Naik D/o Ram Kumar Resident of Village Tarpongi Tahsil Dharsiwa District Raipur (C.G.)
16. Jitendra Banjare, S/o T. Banjare resident of Village Barchha Tahsil Arang District Raipur (C.G.)

---- Respondents

For Appellant	:	None
For State/Respondents	:	Shri Prafull N. Bharat, Additional Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge

Judgment on Board**Per, Thottathil B. Radhakrishnan, Chief Justice****03/08/2017**

1. This writ appeal is by the writ petitioner. Under challenge is a common judgment issued in different writ petitions.
2. Certain appointments were made to the post of Shiksha Karmi Grade-III governed by the provisions of the Chhattisgarh Panchayat Shiksha Karmis (Recruitment and Conditions of Service) Rules, 1997. Thereafter complaints were received by the Collector, Raipur regarding the process of selection and other aspects. That ultimately led to the cancellation of the appointments of the various persons who had challenged the cancellation before the learned Single Judge.
3. Through the detailed impugned common judgment rendered on 08.08.2011, all the writ petitions including the one from which this writ appeal arises, were dismissed.
4. The Appellant, who is Petitioner in W.P.(S) No. 1159 of 2010, instituted Writ Appeal No. 60 of 2012. That writ appeal came up for consideration before the Division Bench on 26.06.2012. By that time, on 20.09.2011, a bunch of writ appeals arising from the same common judgment were dismissed by the Division Bench. We have called for and examined the said judgment including the Judges Paper-Book in Writ Appeal No. 413 of 2011.
5. After the disposal of the Writ Appeal No. 413 of 2011 and connections which affirmed the impugned common judgment, Writ Appeal No. 60 of 2012 was filed by the Petitioner, challenging the common judgment. That writ appeal came up for consideration before the Division Bench on 26.06.2012, as already mentioned. That appeal was sought to be withdrawn with liberty to file a review petition. Permission was granted and with such liberty that

appeal was dismissed as withdrawn at the stage of admission. After that, the Petitioner filed an application for review of judgment before the learned Single Judge as Review Petition No. 135 of 2012. That was dismissed on 07.09.2012 noticing among other things the judgment issued in Writ Appeal No. 413 of 2011 and also taking the view that the withdrawal of the writ appeal of the Petitioner (W.A. No. 60 of 2012), though with leave, was essentially in view of the fact that the question had concluded. Nevertheless the learned Single Judge proceeded to hear the review petition and found that what was being pushed through is essentially a recourse for re-hearing the writ petition. The learned Single Judge accordingly dismissed the review petition.

6. In the light of the aforesaid, we do not find any ground to entertain this writ appeal. That position notwithstanding, having bestowed our anxious consideration to the contents of the judgment dated 20.09.2011 in Writ Appeal No. 413 of 2011 and connections, affirming the impugned common judgment, we concur with the views expressed therein and hold that this writ appeal does not deserve to be entertained even on merits.
7. For the aforesaid reasons, following the judgment dated 20.09.2011 in Writ Appeal No. 413 of 2011 and connections and taking note of the withdrawal of earlier writ appeal by the writ petitioner who is the Appellant herein, we do not find any merit in this writ appeal. As a consequence, we also are unable to see any merit in the application seeking condonation of delay of 2164 days in filing the appeal.
8. In the result, this writ appeal and the application for condonation of delay are dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge