

CF 1007

(1)

IN THE HON'BLE CHHATTISGARH HIGH COURT AT BILASPUR

W.P.NO. 3025 /2003 (S.B.)

PETITIONER

Nikhilesh Mishra, aged about 26 years son of Shri P.N. Mishra, resident of Akash Nagar, Frazerpur, Behind Chopda Rice Mill, Jagdalpur, distt. Bastar Chhattisgarh.

P. R. No. 2324/03
Presented by Shri. Nikhilesh Mishra
dated 23.09.03

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through :
the Secretary, Department of Family Health Welfare, D.K.S. Bhawan, Raipur (Chhattisgarh).
2. The Civil Surgeon Cum Chief Hospital Superintendent, District Maharani Hospital, Jagdalpur, Distt. Bastar (CG)
3. Collector Bastar at Jagdalpur (Chhattisgarh)



WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.



56

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP No.3025 of 2003

• Nikhilesh Mishra

---- Petitioner

Versus

• The State Of Chhattisgarh & Ors.

---- Respondents

For Petitioner	:	Shri Akhilesh Mishra, Advocate
For Respondent/State	:	Shri S. P. Kale, Deputy Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/11/2017

The petitioner filed this petition challenging the action of the respondents in amending advertisement and reserving the single post of Lower Division Clerk, for being filled up by a candidate of Scheduled Tribe category (woman).

2. Though number of arguments have been urged before this Court by learned counsel for the petitioner to challenge the action of respondents in reserving the vacancy for a candidate of Scheduled Tribe category (woman), it is revealed from the first return filed by the respondents that though process of selection was initiated but it was never brought to its logical conclusion and was abandoned and later on, under the policy of absorption of surplus employees, that post of Lower Division Clerk was filled up. In the additional return, the respondents have also stated that in the subsequent recruitment process, a new candidate has been appointed in the year 2013.

3. Taking into consideration that the advertisement, under which, the petitioner had applied, itself was abandoned and no selections were made under that advertisement and the post was filled up by other mode, which is not under challenge in this petition, even though, it was disclosed in the return way back in the year 2009 and that candidate selected subsequently in another process of selection on the post

(57)

has not been impleaded as a party in this petition, no relief can be granted to the petitioner, at this stage.

4. In the result, the petition is dismissed.

Sd/-
Manindra Mohan Shrivastava
Judge