

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4490 of 2016

Deenbandhu Nirala S/o Late Motirram Nirala Aged About 40 Years R/o Village Amlidih, Post Khamhriya, Police Station Khallari, District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Higher Education Department Mahanadi Bhawan, Mantralaya New, Raipur, Chhattisgarh.
2. The Chairman Public Service Commission, Shanker Nagar Raipur, Chhattisgarh.
3. Ramayan Lal Patre Mukam Post Tilkeja, Via Bhaisma, District Korba, Chhattisgarh.

---- Respondents

And

WPS No. 4626 of 2016

Laxminarayan Jalhare S/o Laldas Jalhare, Aged About 36 Years R/o Civil Line, Vaishnav, Colony, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Higher Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. The Chairman, Public Service Commission, Shankar Nagar, Raipur Chhattisgarh
3. Ramayan Lal Patre, Mukam Post Tilkeja, Via Bhaisma, District Korba Chhattisgarh

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For State	:	Shri Ashutosh Pandey, Panel Lawyer
For PSC	:	Shri Sudeep Agrawal, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/04/2017

1. WPS No.4490 and WPS No.4626 of 2016 are being disposed off by this common order as the petitioners have filed these petitions being aggrieved by non-issuance of their appointment orders despite availability of vacancy.
2. The only operative reason as put forth by the respondents is that because of a dispute raised by one Ramayan Lal Patre in Writ Petition (S) No.2026 of 2015, the respondents are unable to proceed with the appointment.
3. Unless there is any interim order passed by the Court operating against the respondents, restraining them against filling-up of the vacant posts, the respondents should not withhold the process of appointment to keep the post vacant. The respondents are directed to proceed with the appointment.

The respondents shall proceed to decide the claim of the petitioners with regard to appointment on the basis of the select list which was issued earlier, by applying the relevant Rules with regard to appointment.

4. The petitions are accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge