

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2882 of 2017

- Gurusharan Chandra S/o Sonau Ram Chandra, Aged About 29 Years Caste Chandranahu, R/o Village Singhara, P. S. And Tahsil Malkharouda, District Janjgir Champa (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Home, Mahanadi Bhawan, New Mantralaya, Naya Raipur (Chhattisgarh).
2. Inspector General Of Police, Chhattisgarh, Raipur, District Raipur (Chhattisgarh).
3. The Collector, Surajpur, District Surajpur (Chhattisgarh).
4. The Superintendent Of Police, Surajpur, District Surajpur (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri B. L. Bhardwaj, Advocate
For Respondent/State	:	Shri Avinash Singh, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/09/2017

Heard.

2. This petition has been filed by the petitioner seeking direction to the respondents to consider his candidature for appointment on the post of Constable GD on the ground that though name of the petitioner was kept in the waiting list, he was not granted appointment.

3. The selection procedure was conducted way back in the year 2012 and this petition is filed in the year 2017. Time was granted to the petitioner to explain the delay. Affidavit in the form of condonation of delay has been filed before this Court, which shows that 15 posts were to be filled up in the year

2013. Thereafter, it is stated that the petitioner continuously approached and requested the department to fill up the vacancy from the waiting list. However, neither with the petition nor with the application for condonation of delay, any such document has been filed to show that the petitioner approached the respondents for consideration of his candidature for appointment and the matter was kept pending for consideration. The petitioner has approached this Court after almost five years. Before filing of the instant petition, it appears that the petitioner made certain representations before the authority, as orally submitted before this Court, which does not help the petitioner.

4. Grant of relief under Article 226 of the Constitution of India is discretionary in nature. In my opinion, the petitioner is not entitled to get any relief only on the ground that he has not approached this Court within a reasonable period. The petitioner has not explained just and proper reasons for not taking recourse to the remedy available to him under the law for the almost five years. Therefore, only on the ground of delay and laches, this petition is liable to be dismissed.

5. Accordingly, this petition is dismissed.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E