

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 455 of 2017

Umend Singh Kanwar S/o Shri Lagan Ram Kanwar, Aged About 29 Years Working As Assistant Grade- III At Directorate Of Industries, Raipur, District Raipur, (Chhattisgarh) (Mobile- No. 09617042348, E-Mail- Uskanwer86@Gmail.Com)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Commercial & Industries, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Director, Directorate Of Industries, Udhog Bhawan, Ring Road No.1, Telibandha, Raipur, District Raipur, (Chhattisgarh)
3. Additiional Director, Directorate Of Industries, Udhog Bhawan, Ring Road No.1, Telibandha, Raipur, District Raipur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Vinod Deshmukh, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

27/01/2017

(1) The case of the petitioner is that he had entered into the departmental examination for the post of Assistant Manager and obtained 25 marks out of 50 in the first paper and 20 marks out of 50 in the second paper and as such he scored 50% marks in the first paper and 40% marks in the second paper. The grievance of the petitioner is that he was not granted the relaxation of 10% in the minimum benchmark required which is otherwise provided to reserved category candidates.

2. Counsel for the petitioner submits that the petitioner is entitled for relaxation of minimum benchmark which is given to a reserved category candidate but it has not been provided in the case of the petitioner. He submits that the petitioner in the first paper has got 50% marks and in the second paper has got 40% marks and if the petitioner is provided the relaxation in the minimum benchmark for the second paper which is otherwise provided for the reserved category candidates that of 10%, the petitioner would become the successful candidate for the said post. He further submits that the petitioner has already made representation to the Department vide Annexure P-10 which was received in the department on 13.1.2017 but till date no decision has been taken on the representation of the petitioner.

3. At this juncture, State counsel submits that the writ petition may be disposed of with a direction to the respondents to consider and take a decision on the representation made by the petitioner.

4. Taking into consideration the fact that the petitioner has sought for a limited relief of 10% relaxation in the minimum benchmark for being the successful candidate in the departmental examination for the post of Assistant Manager, which has otherwise been provided to the other reserved category candidates in respect of the same examination, this Court is of the opinion that ends of justice would be met if the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner and to decide the same objectively within a period of two months from the date of receipt of copy of this order. It is ordered accordingly.

5. Needless to mention that if the petitioner wants, he can make a fresh representation bringing all the grounds and submissions that he has made in the present petition in addition to his earlier representation to the respondents within a period of 10 days from today.

6. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(Sanjay K. Agrawal)
JUDGE