

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2098 of 2017**

- Gopal Prasad Rathore S/o Shri Radheshyam Rathore, Aged About 28 Years Village & Post Reda, Thana Baradwar, Tehsil Sakti, Distt. Janjgir Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Naya Raipur Mantralaya, Raipur (Chhattisgarh)
2. Chief Executive Officer, Jila Panchayat Janjgir Champa (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat Sakti, District Janjgir Champa (Chhattisgarh)

---- Respondent

For Petitioner
For Respondent /State

Mr. KPS Gandhi, Advocate
Mr. Prafull Bharat, Additional
Advocate General

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****3/5/2017**

1. Heard.
2. The petitioner is aggrieved by rejection of his candidature for the post of Rozgar Sahayak, for which, the recruitment process was drawn by Janpad Panchayat, Sakti, District Janjgir-Champa (CG).

3. On the strength of State Government's Circular dated 30.07.2014, learned Additional Advocate General would submit that non-selection of a candidate is appealable before the appellate authority in terms of Section 91 of the Panchayat Raj Adhiniyam, 1993 read with the provisions of Chhattisgarh Panchayat (Appeal and Revision) Rules, 1995. He would refer to the law laid down by the Division Bench of Madhya Pradesh High Court in the matter of **Arti Bhatnagar & Ors. vs. State of M.P. & Ors. {2000(2) MPLJ 151}**.
4. In view of the existence of alternative remedy, the writ petition is disposed of with direction that in the event, the petitioner prefers an appeal before the appellate authority against the action of Janpad Panchayat, Sakti, declaring the petitioner ineligible for the post of Rozgar Sahayak, within a period of one month from today, the appellate authority shall consider and decide the appeal at the earliest preferably within a period of 06 months from the date of its submission. Sd/-

Judge

(Prashant Kumar Mishra)

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