

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 304 of 2017**

(Arising out of judgment dated 19.06.2017 passed in Writ Petition (C) No. 2423 of 2016 by the learned Single Judge)

- Bharti Printers, Near Durg Rajnandgaon Gramin Bank, G.E. Road, Kumhari, District Durg, Chhattisgarh, Through Proprietor Neeraj Chandrakar, S/o Shri Rupendra Chandrakar, Aged About 30 Years, R/o G-17, Shri Ram Park, Ring Road No.1, Pt. Deendayal Upadhyay Nagar, Near Sector 2, Raipur, District Raipur, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through The Secretary School Education Department, Secretariat, Mahanadi Bhawan, New Raipur, Police Station Rakhi, P.O. Rakhi, District Raipur, Chhattisgarh Pin 492002
2. Yunish Ali, Managing Director, Chhattisgarh Pathya Pustak Nigam, 2nd Floor, Haribhoomi Press Parisar, Dhamtari Road, Tikrapara, Raipur, Chhattisgarh
3. Ashok Chaturvedi, General Manager, Chhattisgarh Pathya Pustak Nigam, 2nd Floor, Haribhoomi Press Parisar, Dhamtari Road, Tikrapara, Raipur, Chhattisgarh
4. Chhattisgarh Pathya Pustak Nigam, 2nd Floor, Haribhoomi Press Parisar, Dhamtari Road, Tikrapara, Raipur, Chhattisgarh, Through Managing Director

---- Respondents

For Appellant	:	Shri Rakesh Jha and Shri Jai Prakash Shukla, Advocates
For Respondent No.1/State	:	Shri Prafull N. Bharat, Addl. Advocate General
For Respondents No.2 &3	:	Shri Bhaskar Payasi, Advocate
For Respondent No.4	:	Shri Khashif Shakeel, Advocate

Hon'ble Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Justice Sharad Kumar Gupta

Judgment on Board

Per Thottathil B. Radhakrishnan, Chief Justice

24.08.2017

1. We have heard the learned counsel for the Appellant, the learned Additional Advocate General and respective learned counsel for the other Respondents.
2. The Appellant is the Writ Petitioner. He was registered as a printer with the

Chhattisgarh Text Book Corporation; hereinafter referred to as the "Corporation". It appears from the records that the Writ Petitioner commenced operation in 2014. In 2015, there were certain issues relating to its activities. In 2016, the Corporation decided not to grant it registration on grounds referable to Commercial Tax Sector. Through the impugned judgment, the learned Single Judge quashed the decision of the Corporation for the year 2016. However, it was noted that because of the passage of time, directions cannot be issued in relation to the year 2016. The relief sought for in the Writ Petition regarding the year 2016-17 could not have been granted through the impugned judgment dated 19.06.2017. Therefore, the learned Single Judge, after quashing the decisions impugned therein, ordered the Writ Petition directing the Corporation to consider the case of the Writ Petitioner / Appellant for the year 2017-18, however without treating the petitioner as disqualified or ineligible on the issues charged in Annexures- P/1 and P-2 which have been quashed by the learned Single Judge.

3. The learned counsel for the Writ Petitioner / Appellant attempted to state that on the basis of Annexure - A/2 in the Writ Appeal, it can be seen that the registration once granted will be current for three years. We are unable to accept this submission. Annexure - A/2 is issued by the Managing Director, Chhattisgarh Text Book Corporation only on 21.03.2016. Obviously, that could not have govern the only registration granted to the Writ Petitioner in the year 2014. Not only that, in matters relating to issuance of contract and engaging printers of Text Book, there ought to be a fair amount of elbow room for the administrative sector, including the Corporation, to review the working of a particular one person or institution which is registered as a printer. Therefore, we cannot refer to Annexure - A/2 as an omnibus purpose and hold that the registration granted in the year 2014 should operate for three years in one go, with no demur from the Corporation.

4. We are therefore satisfied that the relief granted by the learned Single Judge to the Writ Petitioner - Appellant was the best possible one on the facts and in the circumstances of the case. Hence, we do not find any ground to interfere with the judgment impugned through this intra-court appeal. This Writ Appeal, therefore, fails.
5. In the result, the Writ Appeal is dismissed.

Sd/-
(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-
(Sharad Kumar Gupta)
Judge