

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1088 OF 2017

- Rahul Gupta S/o Shri R. K. Gupta, Aged About 27 Years R/o C-4, Amaltasapuram, Dhamatari, Tahsil & District Dhamtari (Chhattisgarh)

... Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Department Of Technical Education, Manpower Science & Technology, Mahanadi Bhawan, Mantralaya, Naya Raipur, P.S. Rakhi, Tahsil & District Raipur (Chhattisgarh)
2. The Director, Directorate Of Technical Education, Manpower Science & Technology, Mahanadi Bhawan, Mantralaya, Naya Raipur, P. S. Rakhi, Tahsil & District Raipur (Chhattisgarh)
3. Chhattisgarh Public Service Commission, Through, The Secretary, Chhattisgarh Public Service Commission, Raipur, District, Raipur (Chhattisgarh)
4. Sameer Kumar Shastri, S/o K. K. Shastri, Aged About 50 Years Occupation Service, Presently Working As Lecturer, Govt. Engineering College, Raipur, R/o 'Dayitva' Near Sahu Sadan, Kelabadi, Durg, District Durg (Chhattisgarh)

... Respondents

For Petitioner	:	Mr. S.C. Verma, Advocate.
For Respondent-State	:	Mr. Adhiraj Surana, Dy. Govt. Advocate.
For Respondent-CGPSC	:	Mr. Gokulanand Meher, Advocate.
For Respondent No.4	:	Mr. Rajeev Shrivastava, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/03/2017

1. Challenge in the present writ petition is to the order dated 11.1.2017 passed by the Commissioner, Technical Education, Government of Chhattisgarh, whereby the order of appointment issued in favour of the Petitioner has been ordered to be kept in abeyance till the Writ Petition (S) No. 2891 of 2015 is pending before the High Court.
2. Writ Petition (S) No. 2891 of 2015 has been adjudicated upon by this Court today by a separate order, whereby the said writ petition stands dismissed in terms of the order passed by this Court on 2.1.2017 in a bunch of writ petitions, the lead case being Writ Petition (S) No. 1656 of 2016.

3. In the light of the dismissal of Writ Petition (S) No. 2891 of 2015, this Court does not find any good reason for keeping the order of appointment in favour of the Petitioner in abeyance any further. Accordingly, the present writ petition is disposed of for issuance of appropriate order in favour of the Petitioner.

4. However, at this juncture, Shri Rajeev Shrivastava, learned Counsel appearing for Respondent No.4 who was the Petitioner in Writ Petition (S) No. 2891 of 2015, submits that the order passed by this Court on 2.1.2017 in Writ Petition (S) No. 1656 of 2016 and other connected writ petitions, is pending consideration before the writ appellate Court in a bunch of writ appeals, the lead case being Writ Appeal No. 14 of 2017, which is likely to be heard in the month of April, 2017.

5. Considering the submissions of the Counsels, the present writ petition is allowed, with a direction to the Respondent-State to ensure making an observation while passing an order in favour of the Petitioner, observing that the appointment ultimately shall be subject to the outcome of the Appeals (arising out of order of this Court dated 2.1.2017) pending before the Division Bench of this Court, i.e., Writ Appeal No. 14 of 2017.

6. The present writ petition stands allowed and disposed of accordingly with the observation made herein above.

Sd/-
(P. Sam Koshy)
JUDGE