

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.1143 of 2017**

Dev Kumari Rajwade D/o Shri Kalim Rajwade, Aged About 27 Years Caste Rajwar, Part Time Sweeper, R/o Village Tilsiwa, Post Office Surajpur, Police Station Surajpur, Tahsil And Block Surajpur, Civil And Revenue District Surajpur (Chhattisgarh).

---- **Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Tribal Development, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. The Commissioner, Tribal Development Department, Indirawati Bhawan, New Raipur, District Raipur, (Chhattisgarh)
3. The Collector, Surajpur, District Surajpur, (Chhattisgarh)
4. The Assistant Commissioner, Tribal Development Department, Surajpur, District Surajpur, (Chhattisgarh)
5. District Education Officer, Surajpur, District Surajpur, (Chhattisgarh)
6. Block Education Officer, Block Surajpur, District Surajpur, (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri BL Bhardwaj, Advocate.
For Respondents/State	:	Shri B Gopa Kumar, Deputy AG.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

08/03/2017

1. The petitioner by way of this petition seeks a direction to the respondent No.4 for considering the claim of the petitioner to be appointed as Sweeper in the Govt. Middle School, Tilsiwa, Block and District Surajpur.
2. The contention of the petitioner is that in the past the petitioner had worked with the respondents as Part Time Sweeper. That, subsequently when the post of Sweeper is to be filled up by the respondents, the candidature of the petitioner may also be considered. He submits that other writ petitions were filed by the similarly placed persons of the same block in the same District i.e. WPS No.6688 of 2016 (Kumari Yashoda Singh Vs. State of Chhattisgarh & Ors., decided on 08.12.2016) and Bhuneshwar Rajwade Vs. State of

Chhattisgarh & Ors, WPS No. 7065 of 2016, decided on 02.01.2017, and therefore, the petitioner may also be granted same relief.

3. Be that as it may, without entering into the merits of the case the present petition is disposed of with a direction to the respondent No.4 to verify and scrutinize the claim of the petitioner and after due verification of the facts whether the petitioner was a Part Time Sweeper in the said School on an earlier occasion or not and only thereafter shall pass appropriate orders.
4. Needless to mention that this court has not expressed any opinion on the entitlement of the petitioner for the said post. The respondent No.4 shall be at liberty to examine the factual details of the petitioner and compare the case of the petitioner with the similarly placed person as cited and claimed by the petitioner and thereafter decide the claim in accordance with rules. The petitioner shall be at liberty to file an additional representation, if she so desires, before the respondent No.4.
5. With the aforesaid observations, the writ petition stands finally disposed of. No order asto costs.

Sd/-
(P. Sam Koshy)
Judge