

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 1405 of 2017

1. Ankur Bakshi S/o Shri Praveen Kumar Bakshi Aged About 29 Years R/o Quarter No. H-4-B, Irrigation Colony Balod, P.S.- Balod, Civil & Revenue District- Balod, Chhattisgarh
2. Nilesh Kumar Sahu S/o Shri Ganesh Ram Sahu Aged About 35 Years R/o Village & Post- Singola, Civil & Revenue District- Rajnandgaon, Chhattisgarh
3. Ajay Kumar Sahu S/o Shri Hemlal Sahu Aged About 27 Years R/o Village- Mudpar, Post- Suragi, Thana & Tahsil- Rajnandgaon, Civil & Revenue District- Rajnandgaon, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through- The Secretary Agriculture Department, Mahanadi Bhawan, Capital Complex New Raipur, District- Raipur, Chhattisgarh
2. Director Agriculture Directorate Of Agriculture, Indiravati Bhawan, New Raipur, District- Raipur, Chhattisgarh
3. Chhattisgarh Professional Examination Board Raipur, District- Raipur, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri Sunil Sahu, Advocate.
For Respondents	:	Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

23/03/2017

1. Challenge in this petition is advertisement dated 02.03.2017 (Annexure P/1) issued by the respondents.
2. The sole ground of the petitioners for challenging the advertisement is that they have participated in the selection process for the similar post which was earlier published in the year, 2013. The petitioners were selected candidates in the said recruitment process, but the respondents have not issued order of appointment in favour of the petitioners. Therefore, the petitioners pray that unless the order of appointment is issued in favour of the petitioners from the earlier recruitment process, the subsequent recruitment process should not be permitted to be undertaken.

3. On specific query being put to the counsel for the petitioners, he fairly admits that the respondents have not acted upon the said recruitment process at all. No appointment order has been issued in favour of the petitioners. Against the non action of the respondents, the petitioners have filed writ petition before this court which is pending consideration.
4. The contention of the petitioners that subsequent recruitment process should not be permitted to be undertaken is totally misconceived and devoid of merit. In case if the writ petition which is pending is decided in favour of the petitioners then, it would be the responsibility of the respondents to ensure compliance of the order. In any case since appointment orders were not issued in favour of the petitioners, no indefeasible right has been created in their favour.
5. Accordingly, this petition being totally devoid of merit is liable to be and is hereby dismissed.

Sd/-
(P.Sam Koshy)
Judge

inder