

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5050 of 2010

Ram Avtar Yadav S/o Tarachand Yadav, aged about 29 years, R/o Ward No.1, Fuljhariya Para, Sarangarh, Tahsil Sarangarh, District Raigarh (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary School Education Department, D.K.S. Bhawan, Raipur (C.G.).
2. Collector, District Raigarh (C.G.).
3. Joint Director, District Education Officer, District Raigarh (C.G.).
4. Chief Executive Officer, Janpad Panchayat, Sarangarh, Tahsil Sarangarh, District Raigarh (C.G.).
5. Ashok Kumar Patel, Shiksha Karmi Verg - 3, Pratmik Shala Junadih, Tahsil Sarangarh, District Raigarh (C.G.).

---Respondents

For petitioner	:	Shri Udho Ram Koshaley, Advocate.
For State	:	Shri Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/05/2018

1. The challenge in the present Writ Petition is to the order of appointment issued to the respondent No.5.
2. The contention of the counsel for the petitioner is that, the respondent No.5 had scored less marks in the recruitment process in as much as he had scored only 58.79% and he got the rank 233 in the order of merit whereas the petitioner had scored 59.8% so also his rank also was better than the respondent No.5 i.e. rank 220, yet the respondent authorities have issued an order of appointment in favour of the respondent No.5.

3. The respondents in turn have entered appearance and filed their return and categorically held that, undisputedly, the petitioner had scored more marks and was placed before the respondent No.5 in the ranking, but it is undisputed fact that the respondent No. 5 was granted appointed under the Ex-Serviceman Quota for which certain posts were reserved and that since the petitioner though being under the O.B.C. category was not from the Ex-Serviceman Quota, he could not be considered for appointment.

4. Given the aforesaid facts and circumstances of the case this Court is of the opinion that no strong case has been made out by the petitioner calling for an interference with the order of appointment issued in favour of the respondent No.5.

5. The Writ Petition thus being devoid of merit deserve to be and is accordingly stands rejected.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit