

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5643 of 2017**

Pankaj Mire S/o Shri Mahesh Mire, Aged About 31 Years Presently Posted As District Coordinator, Pradhanmantri Awas Yojna (Rural), Jila Panchayat, Kabirdham, Permanent R/o Panna Nagar, Jarhabhatha, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Pradhanmantri Awas Yojna (Rural) Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Director, Pradhanmantri Awas Yojna (Rural) Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
3. Chief Executive Officer, Jila Panchayat, Kabirdham, District Kabirdham, Chhattisgarh

----Respondents

For Petitioner	:	Mr. T.K. Jha, Advocate
For State	:	Mr. B. Gopa Kumar, Dy. A.G.
For Intervener	:	Mr. K.A. Ansari, Sr. Advocate along with Mr. Vipin Singh, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/04/2018**

1. The challenge in the present writ petition is to the order dated 04.10.2017, passed by the Director, Pradhanmantri Awas Yojna (Gramin), Chhattisgarh. Vide the said order the Director had issued an order to the Chief Executive Officer, Zila Panchayat, Kabirdham i.e. the respondent No.3 to conduct an inquiry in respect of the alleged illegal appointment obtained by the petitioner.
2. The contention of the counsel for the petitioner is that the only allegation perhaps against the petitioner is that the petitioner is not entitled to apply for the same post in more than one district. According to him in this regard there is a policy decision of the State

Government itself wherein vide order dated 19.07.2017, it has been clarified by the department that in the event if a candidate makes more than one applications in more than one district, he would be considered only in one district and not in other district and therefore the alleged inquiry which has been initiated against the petitioner becomes meaningless.

3. At this juncture, the counsel appearing for the intervener submits that the reply filed by the respondent No.3 as well as by the respondents No. 1 & 2- the State are false to the extent that both the respondents have categorically stated that the petitioner has not applied in another district for the same post. This according to the senior counsel is contrary to the material available on record.
4. Be that as it may, since the petition has been filed only challenging the Annexure P/1, whereby the petitioner apprehends that the respondents may take a decision adverse to his interest, this Court is of the opinion that such an apprehension at this stage appears to be premature for the reason that the respondents have till date not taken a decision and moreover in the light of exhibit P/6 dated 19.07.2017, they can still take a decision in the case of the petitioner on the order Annexure P/1 dated 04.10.2017.
5. Let the respondent No.3 in the light of the aforesaid observations made by this Court take a decision on exhibit P/1 dated 04.10.2017 at the earliest.
6. Needless to mention that this Court has not expressed any opinion so far as the entitlement of the petitioner or the legality of the order of

appointment, which the petitioner holds.

7. Any parties aggrieved by the order of appointment would be free to challenge the same in accordance with law.
8. The writ petition thus stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved