

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 2262 of 2018**

Chandra Shekhar Patel S/o Jhadu Ram, aged about 32 years, R/o
Bela Kachhar, Post Office - Balco Nagar, Thana - Balco Nagar,
Teshil and District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Higher Education
Department, Mahanadi Bhawan, Naya Raipur, District Raipur,
Chhattisgarh
2. Commissioner, Directorate of Higher Education, Raipur,
Chhattisgarh
3. Principal, Government Nagarjun P. G. Science College, Raipur,
Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sanjay Patel, Advocate
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****30/04/2018**

The grievance of the petitioner in the instant case is that he has not been issued with an order of appointment to the post of Lab Technician from the selection process which was initiated in the year 2015.

2. The said recruitment was for filling up the post reserved for physically handicapped category persons. The petitioner being one among them had applied for the said post and he was found suitable as is reflected from the select list Annexure P-3 published on 15.02.2016. Thereafter, it appears that no order of appointment has been issued to the

petitioner and the respondents subsequently have refused to grant appointment to the petitioner on the ground that his order of appointment was published in the Internet and he did not report for duty thereafter.

3. State counsel on the previous date of hearing was granted time to seek instruction but till date, no response has been filed by the respondents.

4. Taking into consideration the fact that the petitioner being a physically handicapped person, the normal procedure for grant of appointment could have been relaxed by the respondents in as much as once the petitioner having been found suitable for appointment, a formal order of appointment should have been delivered at the address of the petitioner which in the instant case does not seem to have been followed by the respondents.

5. Given the aforesaid factual matrix of the case and also taking a sympathetic view towards the petitioner, this Court does not intend to keep the petition pending rather ends of justice would meet if the respondents 2 & 3 are directed to ensure that subject to the availability of vacancy of the post of Lab Technician, the petitioner should be issued with an order of appointment at the earliest preferably within a period of 45 days from the date of receipt of certified copy of this Order. It is ordered accordingly. It shall be the responsibility of the petitioner to bring the order of this Court to the notice of respondents 2 & 3.

6. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**