

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.2762 of 2018

Chakheshwar Prasad Patel S/o Shri Babulal Patel, Aged About 29 Years
Village, Post Kolari, P.S. Kasdol, District Baloda Bazar Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Health And Family Welfare Department, State Of Chhattisgarh, Mahanadi Bhawan, Raipur, Tahsil And District Raipur Chhattisgarh.
2. Director, Department Of Health Services, State Of Chhattisgarh, Raipur, Tahsil And District Raipur Chhattisgarh.
3. Joint Director Health Service Raipur Division, T.B. Clinic Compound, Kalibadi Chowk, Raipur, Tahsil And District Raipur Chhattisgarh.
4. Chief Medical Officer, Raipur, Kalibadi Chowk, Raipur, Tahsil And District Raipur Chhattisgarh.
5. Mr. Meghnath Sahu, S/o Buddhsingh Sahu, Aged About 34 Years Village And Post Pangri, P.S. Ambagarh Chouki, Tahsil And District Rajnandgaon Chhattisgarh.

---- Respondents

For petitioner	:	Shri Vijay K Deshmukh, Advocate.
For State	:	Shri B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/04/2018

1. Challenge in the petition is non consideration of the petitioner for appointment on the post of Lab Technician as per advertisement which was published on 04.05.2012.
2. The contention of the petitioner is that, in the select list the name of the petitioner reflect at serial No.2 in the wait-list for the general category candidates, but inspite of 15 vacancy lying vacant and 3 selected candidates having resigned, the respondents did not provide the petitioner a chance of appointment though he was entitled as per select list wherein his name appears to be at serial No.2 in the wait-list.
3. Indisputably, the life of a wait list is for a period of one year from the

date the select list is published unless the same is extended from time to time by the State Govt. In the instant case, no such document has been provided with which it can be said that the wait list is extended beyond the period of 12 months.

4. The fact that the petitioner has not approached this court promptly and has now filed the present petition after a period of 5 years from the date the select list was published by itself would depict that life of wait list in between has got lapsed. Further, just because the petitioner has gone to the different forums agitating his grievance would not give him benefit of challenging the same before the High Court by way of a petition under Article 226 of the Constitution of India now after five years. Moreover, what cannot be brushed aside is the fact that once the validity of wait list stands lapsed, it cannot under any circumstances be revived. The petitioner ought to have knocked the door of High Court within 12 months from the date of issuance of select list.
5. For all the aforesaid reasons, the petition deserves to be and is hereby dismissed.

Sd/-
(P.Sam Koshy)
Judge