

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3091 of 2018**

Kailashpati Pandey S/o Shri Vachspati Pandey, Aged About 39 Years
R/o Gram Rumagara, Post Balco, Tahsil Korba, P.S. Balco, District
Korba (Chhattisgarh), Presently Posted As Vehicle Driver At Regional
Office Of Chief Medical And Health Officer, Korba, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health Services, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Collector, District Korba Chhattisgarh.
3. Chief Medical And Health Officer, District Korba (Chhattisgarh)
4. Principal, A.N.M. Training Center, Korba, District Korba (Chhattisgarh)
5. Joint Director, Directorate Health And Services, Raipur, District Raipur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Vivek Kumar Tripathi, Advocate
For State	:	Mr. Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/04/2018**

1. The present writ petition has been filed seeking manifold reliefs. To better understand the reliefs sought for, it would be relevant to reproduce the relief clause itself:

“10.1) That, this Hon'ble Court may kindly be pleased to set-aside the advertisement dated 21.09.2012 as published by Chief Medical and Health Officer, District Korba for the 26 post of Pharmacist, 26 posts of Assistant Grade-III, one post of Steno Typist and 13 Vehicle Driver.

10.2) That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to recruit the petitioner on the post of drivers by considering their long terms of service on the

post against the sanctioned posts.

10.3) That, as per advertisement the post of steno typist has been appointed thereafter the advertisement has been canceled by Collector Korba and for proper fulfilling the order of Collector Korba the appointed of steno typist its required to be cancelled.

10.4) That, the service of the petitioner working on the respondent department may be ordered to be regularized.

10.5) That, if the petitioner is not eligible for regular appointment of post of Driver in respondent department then he may be appointed in regular post of Driver as according to procedure of appointment of Chhatrapal Pandey without advertisement roster Panji reservation rules and contract appointment rules.”

2. The petitioner in the instant writ petition has sought for various reliefs which otherwise would not be permissible to be challenged in one single writ petition. So far as the petitioner’s claim for appointment on the post of Driver is concerned, the petitioner had along with other persons had already filed a writ petition i.e. WPS No. 3231/2013, which ultimately was withdrawn by the petitioners vide order dated 17.02.2016. Subsequent to 17.02.2016 there does not appear to be any change in circumstances or a fresh development to have occurred, which give rise to a fresh cause of action entitling the petitioner to file a fresh writ petition. Moreover from the pleading it appears that the petitioner No.1 in the said writ petition i.e. WPS No. 3231/2013 has already been granted employment by the respondents.

3. Given the said facts and circumstances of the case, this Court does not find any merit in the present writ petition and the same therefore deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved