

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3012 of 2018

Mahendra Kumar Diwan S/o Shri Sonu Ram Diwan, aged about 43 years, presently working as Panchayat Kalin Karmachari at Nagar Panchayat – Arjunda, District Balod (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through its Secretary, Department of Urban Administration and Development, Mantralaya, Mahanadi Bhavan, New Raipur, District Raipur (C.G.).
2. Director, Urban Administration & Development, Directorate, New Raipur, District Raipur (C.G.).
3. Joint Director & President, District Selection Committee, Regional Office, Urban Administration and Development, Durg (C.G.).
4. Collector, Balod, District Balod (C.G.).
5. Chief Municipal Officer, Nagar Panchayat, Arjunda, District Balod (C.G.).

---Respondent

For petitioner	:	Shri Yogendra Chandra Pandey, Advocate.
For State	:	Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/04/2018

1. The petitioner in the present Writ Petition was appointed as a Panchayat Kalin Karmachari in the year 2005 and since then he is working on the said post.
2. The counsel for the petitioner submits that, there was a circular of the State Government dated 17/02/2009 which envisages that the Panchayat Kalin Karmachari working in different Gram Panchayats should be

considered for absorption first and only thereafter the respondents should go in for filling up the balance of vacancies by way of direct recruitment. He further submits that there are vacancies available in the department, yet the petitioner has not been considered for absorption and the respondents are going for direct recruitment time and again. He further submits that the petitioner in this regard has already made a representation to the respondents No.1 & 2 on 01/12/2017, but no decision has been taken by the respondents till date.

3. Considering the limited grievance of the petitioner so also considering the fact that his representation is still pending consideration, this Court is of the opinion that the Writ Petition itself be disposed off with a direction to the respondent No.2 to decide the representation of the petitioner keeping in view the circular of the State Government dated 17/02/2009. The petitioner would also be at liberty to file a fresh detailed representation along with the copy of circular of the State Government dated 17/02/2009 to the respondent No.2 within a period of 15 days from today. The respondent No.2 in turn shall pass a detailed order objectively considering the claim of the petitioner within a period of 60 days from the date of receipt of fresh representation of the petitioner.

4. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE