

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Appeal No. 355 of 2018

- Pratibha Chandrakar W/o Prakash Chandrakar, Aged About 27 Years
R/o Village And Post Birkoni, Tahsil Civil And Revenue District
Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh

---- Appellant

Versus

1. The State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chhattisgarh Professional Examination Board, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Zila Panchayat, Gariyaband, Through Chief Executive Officer, Zila Panchayat Gariyaband, District Gariyaband (Chhattisgarh), District : Gariyabandh, Chhattisgarh
4. Block Education Officer, Gariyaband, District Gariyaband (Chhattisgarh), District : Gariyabandh, Chhattisgarh
5. Shraddha Kumbhakar, D/o Dauram Kumbhakar, R/o Vikash Khand Finfeshwar, Govt. High School, Beltukri, District Gariyaband (Chhattisgarh), District : Gariyabandh, Chhattisgarh

---- Respondents

Appearance:

Shri Punit Ruparel, Advocate for the appellant.
Shri R.K. Gupta, Dy. Advocate General for the State.
Shri KPS Gandhi, Advocate for respondent 3 on advance copy.

Hon'ble Shri Justice Prashant Kumar Mishra &

Hon'ble Shri Justice Ram Prasanna Sharma

ORDER

Per Prashant Kumar Mishra, J

08/05/2018

1. In the recruitment for appointment to the post of Lecturer Panchayat (Science), the petitioner/appellant was placed in second position in the merit-list. However, she was not offered appointment which was eventually offered to respondent No.5-Shraddha Kumbhakar.

2. Challenging the said appointment, the appellant preferred Writ Petition, which has been dismissed in limine.

3. Admittedly, the recruitment was for Lecturer Panchayat (Science) and not for Lecturer Panchayat (Home Science). The appellant is Post Graduate in Home Science and not in any Science subject, therefore, the appellant was not eligible and qualified to participate in the recruitment of Lecturer Panchayat (Science). Merely, because the appellant's name was included at the second place in the merit-list, she does not get entitlement for appointment as she lacks the basic qualification needed for the subject post. It is also not in dispute that respondent No.5 in the Writ Petition was the next candidate in the merit-list. Therefore, her appointment to the post is neither illegal nor arbitrary.

4. We found no fault or error in the order passed by the learned Single Judge.

5. The Writ Appeal being devoid of substance is liable to be and is hereby dismissed.

Sd/

(Prashant Kumar Mishra)
Judge

Sd/

(Ram Prasanna Sharma)
Judge