

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3308 of 2018

Shirish Tiwari S/o Shri Anand Prasad Tiwari, aged about 36 years, R/o Near Ram Talkies, Ward No.19, Ganjpara, Civil & Revenue District, Mahasamund (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, P.S.Rakhi, District Raipur (C.G.).
2. Director, Department of Panchayat, 36 C-III, Block-II, Second Floor, Indravati Bhavan, Mantralaya, Naya Raipur, P.S. Rakhi, District Raipur (C.G.).
3. Chief Executive Officer, Office at Zila Panchayat, Narayanpur, District Narayanpur (C.G.).

---Respondents

For petitioner	:	Shri Mayank Chandrakar, Advocate.
For State	:	Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/04/2018

1. In the present Writ Petition, the petitioner had participated in the recruitment process for the post of Lecturer Panchayat (commerce subject) in district Narayanpur where the total number of post available in the commerce subject was 11.
2. The counsel for the petitioner submits that, the petitioner has stood in the second position in the order of merit in the selection process. However, the respondents for reasons best known have not issued any order of appointment in spite of his being meritorious. He further submits that, he has

made repeated representations to the authorities but till date no decision have been taken by the respondent No.3 in this regard. The counsel for the petitioner drew attention of this Court to the document dated 18/09/2017 which show that even as on 18/09/2017, there were 4 posts lying vacant.

3. So far as the advertisement of the year 2017 is concerned, it was clearly envisages that 50% of the post has to be filled from direct recruitment and remaining 50% has to be filled by way of promotion.

4. The counsel for the petitioner submits that once when the respondent No.3 had taken steps for filling up the post by direct recruitment and the petitioner has been found to be meritorious, there is no reason why the respondent No.3 should not act upon the results which have been declared.

5. Given the aforesaid factual matrix of the case, let this Writ Petition itself be disposed off with a direction that the case of the petitioner be considered by the respondent No.3 at the earliest preferably within a period of 3 months from the date of receipt of certified copy of this order.

6. This Court has not expressed any opinion so far as the entitlement of the petitioner on his merits is concerned.

7. It shall be left open for the respondent No.3 to take a decision purely in accordance with the rules governing the field.

8. The Writ Petition accordingly stands allowed and disposed off.

Sd/-

(P. Sam Koshy)
JUDGE