

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No.2459 of 2006**

Bechan Singh, aged about 26 years, S/o. Thakur Singh, Caste-Scheduled Tribe, R/o. Nehru Colony, Block No.42/A, Post Sonavani, District Korea (CG)

---- Petitioner

Versus

1. State of Chhattisgarh, Through : Secretary, Panchayat & Rural Development Department, D.K.S. Bhavan, Raipur (CG)
2. District Collector, District Korba (CG)
3. Chief Municipal Officer, Nagar Panchayat Katghora, District Korba (CG)
4. Hari Har Singh Kanwar, S/o. Late Shri Mukund Singh Kanwar, R/o. Post Jawali, Tehsil Katghora, District Korba (CG)

---- Respondents

For Petitioner	:	Mr.Sunil Otwani, Advocate
For Respondents No.1 and 2:	:	Mr.Avinash Singh, P.L.
For respondent No.3	:	Mr.Aditya Bhardwaj Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/02/2018

1. The petitioner applied for the post of Shiksha Karmi Grade-II in Scheduled Tribe category and his name was included in Scheduled Tribe category, but he has filed this writ petition on the ground that name of respondent No.4 has also been included in the merit list of ST category.
2. Learned counsel for the petitioner would submit that name of respondent No.4 could not be included in merit list as he had never applied up to the last date for the said post.
3. On the other hand, learned counsel for respondent No.3 would submit that pursuant to the objections invited in the merit list,

respondent No.4 has ² made representation and his representation has been considered and it was found that respondent No.4 has wrongly excluded from considering his name, therefore, his name has been included in the merit list.

4. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also gone through the records with utmost circumspection.
5. Return has been filed way back on 24.8.2006, but no rejoinder controverting the statement made in the return has been filed by the petitioner and name of respondent No.4 has been included in the merit list on the basis of representation made by him while publishing the name. Therefore, I do not find merit in this writ petition.
6. Accordingly, the writ petition being without substance is liable to be and is hereby dismissed. There is interim order of staying further proceedings of the selection. The competent authority is directed to declare the result and proceed further with the matter. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-