

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3617 of 2016**

Dr. Sanjay Bhajanker S/o Shri Ratiram Bhajanker, Aged About 33 Years R/o Rani Durgavati Nagar, Near House Of Vinod Nagpure, Ward No 3, Varashivani, District Balaghat, Madhya Pradesh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Higher Education, Ministry, Mahanadi Bhavan, New Raipur, District Raipur Chhattisgarh
2. The Chhattisgarh Public Service Commission, Through The Secretary, Shankar Nagar, Road, Raipur, District Raipur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Dharendra Prasad Mishra, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer
Respondent No.2	:	Mr. B.D. Guru, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/09/2018**

1. The claim of the petitioner to the present writ petition is for considering the petitioner for the post of Assistant Professor-Physics (Higher Education Department). According to the petitioner, when the select list was published, the name of the petitioner was placed on waiting list No.3.
2. The contention of the petitioner is that after the select list was published, more than 3 candidates had not joined the services and there were clear vacancies available and hence the respondents were incumbent to consider the claim of the petitioner for appointment against the unfilled posts.
3. The petitioner further submits that an identical issue has come up before this Court in respect of the candidates, whose name appeared at waiting list No.1 namely Shivshankar Prasad Pandey vide WPS No.

655/2016 and this Court has allowed the said petition vide order dated 16.07.2018. He submits that the present writ petition also be disposed off in similar terms.

4. On perusal of the contents of the said order, the counsel for the respondent/State admits that the petitioner's case is also arising out of the same recruitment process and the select list where the present petitioner is placed at waiting list No.3 and Shivshankar Prasad Pandey, whose writ petition i.e. WPS No.355/2016 stood allowed, was placed at waiting list No.1.
5. Given the aforesaid facts and circumstances of the case, subject to verification of the factual matrix of the case, so far as the entitlement of the petitioner is concerned, the present writ petition stands allowed in similar terms, as has been passed in WPS No. 355/2016, decided on 16.07.2018. Let a copy of the order passed in WPS No. 355/2016 decided on 16.07.2018 be made part of the order of this writ petition.
6. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved