

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 5828 of 2018**

Hanish Verma S/o Shri N.R. Verma, Aged About 33 Years, R/o. 183, Sunder Nagar, Raipur P.S.- D.D. Upadhyay Nagar, Civil And Revenue District Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development Mantralaya, Mahanadi Bhawan Naya Raipur, P.S. Abhanpur District Raipur Chhattisgarh
2. Director, Department Of Urban Administration And Development H.O.D. Building D-Block, Fourth Floor Indrawati Bhawan Naya Raipur, P.S. Abhanpur, District Raipur, Chhattisgarh
3. Managing Director, Chhattisgarh Mandi Board, Bij Bhawan G.E. Road, Telibandha, Raipur, District Raipur, Chhattisgarh
4. Chief Executive Officer, Naya Raipur Development Authority Paryavas Bhavan, North Block Sector 19 Naya Raipur, District Raipur Chhattisgarh
5. Chhattisgarh Professional Examination Board (CG VYAPAM) Sector 19, Kotara Bhantha, New Raipur, Dist. Raipur, Chhattisgarh
6. Union Of India Through Secretary, Ministry Of Human Resource Development, Department Of Secondary And Higher Education Shastri Bhavan, New Delhi
7. All India Council For Technical Education Through Chairman, All India Council For Technical Education, Nelson Mandela Marg Vasant Kunj New Delhi

... Respondents

For Petitioner	:	None
For State	:	Shri Majid Ali, Dy. Govt. Advocate
For Respondent no.6	:	Shri Raj Kumar Gupta, Advocate
For Respondent no.7	:	Shri Sandeep Dubey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/11/2018**

There was no representation on behalf of the petitioner on the last date of hearing. Today also, there is no representation on behalf of the petitioner.

2. The reliefs sought for by the petitioner in the present writ petition are :

- I) That the Hon'ble Court be pleased to quash the advertisement no.747/2018/12251 dated 25.07.2018 for direct recruitment on the post of Assistant Engineer (Civil) Panchayat and Rural Development, Assistant Engineer (Civil), Assistant Engineer (Mechanical), Assistant Engineer (Electrical) Urban Administration and Development Department.
- II) That the Hon'ble Court be pleased to direct the respondent no.2 to re-advertise the posts of Sub Engineer laying down proper qualifications in accordance with the Chhattisgarh Municipal Corporation (Appointment and Terms and Conditions of service of officers and Employees.)

3. The grievance of the petitioner is that he fulfills all the requisite qualification that are required under the Service Rules governing the field for the post for which the petitioner had applied i.e. the post of Sub Engineer (Civil). The petitioner has also permitted to participate in the recruitment process.

4. The petition seems to have been filed on the apprehension that since the petitioner does not have the qualification as per the advertisement, at a later stage the Department may declare the petitioner disqualified. It

appears that the petitioner as on date is more on apprehension against any order which may be passed adverse to the interest of the petitioner.

5. The State counsel, for the last couple of dates, has been seeking time to seek instruction as to whether the candidature of the petitioner would be refused to entertain at a later stage on account of his not fulfilling the qualification as per the advertisement. Till date no instruction has been received by the State counsel in spite of repeated letters having been issued to the Department.

6. Given the said fact, this Court at this juncture presumes that since the petitioner has been permitted to participate in the recruitment process, the Department as of now has not intended to disqualify the petitioner. However, in the event the respondents does take an action against the petitioner holding him not having the qualification as per the advertisement, the petitioner would be at liberty to approach the Court again for ventilating his grievances and also challenging the said action on the part of the respondents if at all if the need so arises.

7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge