

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5862 of 2018**

Jai Prakash Patail S/o Ram Nivas Patail Aged About 33 Years R/o
Tarekela, Police Station Chhal, District- Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mantralaya Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. The Collector Raigarh, District- Raigarh Chhattisgarh.
3. Chief Executive Officer Zila Panchayat, Raigarh, District- Raigarh, Chhattisgarh.
4. District Education Officer Raigarh, District- Raigarh, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Govind Dewangan, Advocate
For State	:	Mr. R.K. Gupta, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/09/2018**

1. The grievance of the petitioner is that the petitioner has applied for the post of Lecturer Panchayat in the Biology subject. The name of the petitioner stands at serial No.1 in the waiting list in the unreserved category for the Biology subject.
2. The counsel for the petitioner submits that after the select list was published and the order of appointment was issued, two vacancies have arisen, in as much as one person namely Prakash Kumar has not joined the duties inspite of the offer of appointment being made and at the same time, another person namely Dilip Kumar Sande has resigned from post after having joined.
3. So far as the vacancy, which has arisen on the resignation of the Dilip Kumar Sande is concerned, the petitioner may not have any claim, as this vacancy stands exhausted on the joining on the post.

However so far as non-joining of Prakash Kumar is concerned, that would have to be treated as a vacancy, which can be filled from amongst the wait list candidates.

4. Since the petitioner is placed at serial No.1 in the unreserved category i.e. the category, which the Prakash Kumar has not joined and the petitioner's representation is still pending consideration before the authorities, let the respondent No.3 take a decision on the said representation of the petitioner in accordance with the Rules.
5. It is expected that an early decision preferably within a period of 45 days is taken from the date of receipt of the order of this Court.
6. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge