

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6580 OF 2018**

1. Dr. Vijay Prasad Tiwari S/o Shri Himachal Prasad Tiwari Aged About 36 Years R/o Dihuli, Post Tamra Desh, District Reewa (Madhya Pradesh) Present Address Damkasha, Police Station Durgkondal District Kanker Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Its Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Ayurved Yoga And Naturaopathy, Unani, Siddha And Homoeopathy (Ayush), Raipur, District Raipur Chhattisgarh.
3. Collector Uttar Bastar Kanker District Uttar Bastar Kanker Chhattisgarh.
4. The Chief Medical And Health Officer Uttar Bastar Kanker District Uttar Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh
5. District Ayurved Officer Uttar Bastar Kanker District Uttar Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh
6. The Block Medical And Health Officer Uttar Bastar Kanker District Uttar Bastar Kanker Chhattisgarh., District : Kanker, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Rohit Sharma, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, PL.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04.10.2018**

1. The claim of the petitioner in the present petition is for an appropriate direction to the respondents to consider the claim of the petitioner for grant of reappointment/contractual employment and to take a decision on the representation which the petitioner has made.
2. The grievance of the petitioner is that he was appointed on contractual basis as Ayurved Medical Officer at Primary Health Centre, Damkasa, District Kanker (CG) on 21.12.2006 and while working on the said post the contractual period, in between, was extended. The petitioner was implicated in a criminal case for the offence under Section 307 IPC and Section 3(1)(10) of the ST & SC Act. Meanwhile, the contractual period came to an end and thereafter it has not been renewed. The petitioner

finally stood acquitted from the criminal case vide judgment dated 17.07.2012 and after the acquittal order being passed, the petitioner has been approaching the authorities time and again for grant of reappointment or re-engagement on contractual basis but till date no final decision has been taken by the authorities concerned.

3. Given the aforesaid facts and circumstances of the case, let the respondents No. 1&2 take a decision on the claim of the petitioner and while taking decision they shall take note of the fact that the petitioner has got an order of acquittal in his favour and his claim be considered at par with the other similarly placed persons who were appointed along with the petitioner.
4. With the aforesaid observation, the writ petition stands disposed of.
5. Needless to mention that this exercise be done by the respondents No.1&2 only in the event if the application of the petition till date has not been decided. If the same has already been decided, then no fresh decision is required to be taken.

Sd/-
(P. Sam Koshy)
Judge