

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7138 OF 2018**

1. Anita Sahu D/o Sheshnarayan Sahu Aged About 29 Years R/o Village Sukhrapara, Tehsil Pathalgaon, District Jashpur Chhattisgarh.
2. Shashi Kant S/o Kanshinath Aged About 30 Years R/o Village Kadumkela, Tehsil Bagicha, District Jashpur Chhattisgarh.
3. Sanweer Bhagat S/o Sukhdev Bhagat Aged About 26 Years R/o Village Kurumkela, Tehsil Bagicha, District Jashpur Chhattisgarh.
4. Dharam Raj Bhagat S/o Ashok Bhagat Aged About 24 Years R/o V P O Dokra, Tehsil Kanshabel, District Jashpur Chhattisgarh.
5. Deepak Bhagat S/o Shivnath Ram Bhagat Aged About 28 Years R/o Village Sikariya, Post Office Namiyal Dand, Tehsil Kanshabel, District Jashpur Chhattisgarh.

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

1. State Of Chhattisgarh Through Its Secretary Department Of Health, Mahanadi Bhavan New Raipur Chhattisgarh.
2. The Director National Health Mission Chhattisgarh Iii Floor Chhattisgarh Housing Board Commercial Parisar Sector 27 New Raipur Chhattisgarh.
3. The Chief Medical And Health Officer District Jashpur Chhattisgarh.
4. Rajkumar S/o Mangru Ram Bhagat Aged About 28 Years Present Working At Primary Health Center Farshabahr, District Jashpur Chhattisgarh.
5. Gawar Sai Baghel S/o Shri Putlu Sai Baghel Aged About 27 Years Present Working At Primary Health Center Pathalgaon, District Jashpur Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri Akhilesh Kumar, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, PL.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29.10.2018**

1. Challenge in this petition is to the advertisement and the recruitment process which has been undergone vide Annexure P/1 dated 30.05.2018.
2. The solitary contention of the petitioners is that the respondents have vide order dated 28.07.2018 promulgated a fresh guidelines in respect of the recruitment to be made. The said policy was made effective from 01.06.2018 and that the advertisement dated 30.05.2018 has not been processed in accordance with new rules which had come into force and

therefore prayed for the setting aside of the selection they have made from the said advertisement.

3. Perusal of records would by itself clearly reflect that advertisement was published much before the order for the implementation of the new rules had come into force. The advertisement also is of the date which is prior to making the new rules applicable i.e. 01.06.2018 whereas, the advertisement was prior to the new rules coming into force. That, since on the date of advertisement the previous rules were in force and new rules having come into force after the advertisement was published, this court does not find any strong case made out by the petitioners to challenge the same.
4. It is also a case where this court does not find a strong case on behalf of the petitioners for the reason that it appears that the petitioners have already participated in the selection process and it is only when they became unsuccessful now that they have turned around to challenge the recruitment process. For this ground also the petitioners fail to make out a case.
5. Accordingly, the petition fails and is dismissed.

Sd/-
(P. Sam Koshy
Judge