

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7060 of 2018

Sevak Lal Bagh S/o Shri Punit Ram Bagh Aged About 35 Years
Presently Working As Training Officer At Govt. I T I Jagdalpur,
District Bastar Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Skill Development, Technical Education And Employment, Department, Mahanadi Bhawan Naya, Raipur Chhattisgarh.
2. Director Employment And Training, New Raipur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/10/2018

1. The relief sought for by the petitioner in the present writ petition is for a direction to the respondent no.2 to consider the claim of the petitioner for conformation.
2. It appears that the petitioner for the said relief had earlier filed a writ petition i.e. WPS No. 3709/2018 and this Court had disposed off the writ petition making following observations:

“3. Considering the submission, without commenting upon the merits of the case, at this stage, I am inclined to dispose off the petition with the direction to respondent No.2 to decide petitioner's claim for confirmation within a period of three months from the date of receipt of copy of this order.”

3. Subsequently, the respondents it appears had processed the case of the petitioner for confirmation and had called for the character

certification and necessary instructions were sought from the police department. However vide Annexure P/6 dated 10.10.2018, the respondent No.2 has ordered that since the character certification part of the petitioner was not complete, the application/representation for confirmation of the petitioner was rejected.

4. The contention of the petitioner is that so far as the character certification part is concerned, he has information/instructions to submit that the police authorities have already given a certificate in favour of the petitioner certifying that there was no criminal antecedent against the petitioner whatsoever and the same has also been brought to the notice of the respondent No.2 by the petitioner, yet the respondents have passed the order Annexure P/6 dated 10.10.2018.
5. The grievance of the petitioner is that the respondent No.2 had not disclosed as to what would be the further formalities left for the character certification part, with which the case for confirmation could be completed or processed further.
6. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that in the light of the order passed by this Court earlier in WPS No. 3709/2018 dated 16.05.2018 and also taking note of the certificate issued by the concerned police authority, let the respondent No.2 reconsider the case of the petitioner and intimate the petitioner in case of any formalities which are left to be complied and in case the formalities are complete, then appropriate speaking order be passed so far as the confirmation is concerned.

7. Let the petitioner appraise the respondent No.2 supported with all relevant documents and information that he has, to substantiate his claim for confirmation.
8. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved