

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 119 of 2019**

1. Sudhir Kumar Pandey S/o Late Ram Dulare Pandey Aged About 40 Years Block Colony, Behind Block Office Burhar, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Gm Office Sohagpur Area.
2. Santosh Kumar S/o Late Dadan Ram Shukla Aged About 31 Years (Neis No. 24905918), Q.No. M/92, Arjhula Colony, P.O. Kudri, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Grard Gm Office Sohagapur Area.
3. Narayan Ray S/o Dumari Ray Aged About 30 Years R/o Q.No. M/103, Rajendra Colony, P.O. Khairaha, District Shadol (Madhya Pradesh), Presently Working As General Maxoor Cat -I, Damini Underground Mines.
4. Shreyansh Rai S/o Late Raja Ram Rai Aged About 19 Years R/o Q.No. M/177, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh), Presently Working As Temporary Security Guard Dhanpuri, Open Cast Mines.
5. Ashok Kumar Roy S/o Babulal Rai Aged About 32 Years R/o Q.No. M/233, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Dhanpuri, Open Cast Mines
6. Sunil Kumar Rai S/o Jagdish Prasad Rai Aged About 26 Years Q.No. M/112, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Dhanpuri Open Cast Mines.
7. Nagesh Rai S/o Dumari Rai Aged About 29 Years Q.No. M/133, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Dhanpuri Open Cast Mines.
8. Pappu Rai S/o Dumari Rai Aged About 33 Years Q.No. M/103, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Rajendra Colliery.
9. Sachin Kumar Chourasia S/o Kanhaiya Lal Aged About 35 Years Near Noorie Masjid, Bazar Mohalla, P.O. Dhanpuri, District Shahdol (Madhya Pradesh). Presently Working As Temporary Security Guard, Rajendra Underground Mines.

10. Shashi Kant Mishra S/o Dadoni Ram Mishra Aged About 40 Years Q.No. M/238, Rajendra Colony, P.O. Khairaha, District Shahdol (Madhya Pradesh) Presently Working As Temporary Security Guard Burha Sub Area.
11. Santosh Kumar Mishra S/o Janki Prasad Mishra Aged About 47 Years (Neis 22745251), R/o Village - Medhiya Ras, P.O. Medhiya Ras, District Annupur, (Madhya Pradesh), Presently Working As Temporary Security Guard Damini Underground Mines.

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Versus

1. South Eastern Coal Fields Ltd. Chairman Cum Managing Director, Seepat Road P.O. Secl, Seepat Road, Bilaspur Chhattisgarh. Pin 495006, District : Bilaspur, Chhattisgarh
2. General Manager Sohagpur Area, S.E.C.L. P.O. Dhanpuri, District Shahdol Madhya Pradesh. Pin 484114., District : Shahdol, Madhya Pradesh
3. Area Personnel Manager Sohagpur Area, S.E.C.L., P.O. Dhanpuri, District Shahdol Madhya Pradesh. Pin 484114, District : Shahdol, Madhya Pradesh

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For Petitioner	:	Mr. Vivek Sharma, Advocate
For Respondent/s	:	Mr. H. B. Agrawal, Sr. Advocate with Mr. Pankaj Agrawal

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

20/02/2019

1. The challenge in the present writ petition is to the action on the part of the respondents in placing the name of the petitioners in the list of candidates who have been declared in eligible to participate in the recruitment process on the ground that their applications were received after last date that is 15/10/2018. On the last date of hearing this Court had instructed the counsel for the respondent to seek specific instruction as to whether the petitioners had applied on or before 11/10/2018 and secondly whether the applications filed by the

petitioner had been forwarded to the concerned authorities in time. The respondents have entered and submitted their reply on 11/02/2019 and in their reply there is a clear averment with Annexures by the respondents which reveal that the petitioners in fact had submitted their application well within time and the said application also was duly forwarded by the Office to the Head Quarters on 15/10/2018. It is to be taken note of that 15/10/2018 was the last date of applying for the said post and 15/08/2018 is the date on which the office of Sohagpur forwarded, the same to the Head office which by itself means that the office at Sohagpur already received application well within time and the submission of the application was permitted to be made even at Sohagpur Area.

2. Moreover, in the correspondence dated 15/10/2018 (Annexure R-4) it also reveals that the authorities at Sohagpur had furnished the soft copy of the entire data by email to the Head Quarters on 15/10/2018 itself, that means there can be no dispute on the respondent having received the details of the present petitioners well within time. In spite of this if the respondents reflected the name of the petitioners to be not eligible to participate on account of their application having received after last date is incorrect and unjustified by the respondents which is not sustainable at all.
3. Without entering into the further merits of the case this Court is inclined to allow the petition at this juncture by quashing (Annexure P-1) to the extent pertaining to the petitioners and (Annexure P-1) to the extent declaring the petitioners as not eligible stands set aside/ quashed. The respondents are directed forth with to call upon the

petitioners also to participate in the further selection process in accordance with the rules and procedure.

4. Accordingly the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit