

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 942 of 2019

Dushyant Kumar Deshmukh S/o Kanshi Ram Deshmukh, Aged About 52 Years, R/o Village Suregaon, Post Suregaon, Tahsil Doundilohara, District - Balod Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Rural Welfare, Mahanadi Bhawan, New Mantralaya, Naya Raipur, District - Raipur Chhattisgarh.
2. Secretary, Department Of School Education, State Of Chhattisgarh Mahanadi Bhawan, New Mantralaya, Naya Raipur, District - Raipur Chhattisgarh.
3. Director, Panchayat And Rural Welfare, State Of Chhattisgarh, Raipur District - Raipur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Kaushal Yadav, Advocate.
For State	:	Shri Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/02/2019

1. The present Writ Petition has been filed seeking direction for the respondents to decide the case of the petitioner for being reinstated in service.
2. Perusal of record would show that, the petitioner was initially appointed as Guruji (Aupcharikettar Shikshak) at Suregaon Aupcharikettar Shikshak Kendra. The petitioner had worked as Shikshak at the said centre between 1986 to 1998 and further it was continued up till the year 2000 when the services of the petitioner stood discontinued. Later the centre itself were

closed. From 2000 till date, the petitioner is out of employment. During this 19 years of time, the petitioner has not raised the dispute before any forum, neither had he challenged the order of discontinuance before any Court of law.

3. Given the aforesaid facts this Court is of the opinion that, the instant petition suffers from delay and latches.

4. Moreover, it is also brought to the notice of this Court that, new rules have been enacted and all subsequent recruitments are being made in accordance with rules and that the petitioner in the instant Writ Petition also does not have the qualification of B.Ed./D.Ed or I.T.I.

5. Since the petitioner is out of employment for the last 19 years, it is sufficient to hold that, the petition suffers from delay and latches.

6. Moreover, the petitioner does not even have the minimum qualification required for being appointed as either Shiksha Karmi or as a Teacher under the rules governing the field as on date.

7. The Writ Petition therefore stands dismissed on the ground of delay latches.

Sd/-

(P. Sam Koshy)
JUDGE