

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 917 of 2019

1. Ashok Kumar Mandavi S/o Shri G R Mandavi, Aged About 47 Years, R/o Pashuaudhalaya, Bahigaon, Tahsil Keshkal, District - Kondagaon, Chhattisgarh.
2. Tilak Ram Dhruve S/o Vishnu Prasad Dhruve, Aged About 47 Years, R/o Pashuaudhalaya Asendga, Tahsil Keshkal, District - Kondagaon Chhattisgarh.
3. Nand Kishore Sahu S/o Late Hiralal Sahu, Aged About 57 Years, R/o Pashuaudhalaya Khalemurvend, Tahsil Keshkal, District - Kondagaon Chhattisgarh.
4. Suresh Kumar Netam S/o Late Mithaduram Netam, Aged About 33 Years, R/o Pashuaudhalaya Baiyanar , Tahsil And District - Kondagaon Chhattisgarh.
5. Dovaram Verma S/o Late Mahadev Verma, Aged About 58 Years, R/o Pashuaudhalaya Titrvan, Tahsil Bishrampur Bade Rajpur, District - Kondagaon, Chhattisgarh.

---Petitioners

Versus

1. The State Of Chhattisgarh Through Its Secretary, Department Of Veterinary Services, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Director, Department Of Veterinary Services, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
3. Joint Director, Department Of Veterinary Services, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
4. Deputy Director, Department Of Veterinary Service, Kanker District U.B. Kanker Chhattisgarh.

---Respondents

For petitioners : None.
For State : None.

Hon'ble Shri Justice P. Sam KoshyOrder on Board

12/02/2019

1. The prayer of the petitioners in the instant Writ Petition is for issuance of direction to the respondents to consider the case of the petitioners to be posted as regular employees from 2008 onwards as has been granted to similarly placed persons with all consequential benefits.
2. Perusal of Annexure-P/4 dated 14/12/2017 reflect that identically placed persons and the persons who are junior to the petitioners have been granted relief and based on which the petitioners should claim and relief in parity.
3. Moreover, the petitioners does not have any indefeasible right created in their favour for the reason that, there are no sanction vacant post available with the department for regularizing the services of the petitioners and that too from a back date.
4. Considering the aforesaid factual matrix of the case, this Court does not intend to keep the Writ Petition pending for the reason that, the claim of the petitioners has till date not been rejected or decided by the respondents.
5. Once when the petitioners submits that, they are similarly placed or identical as the candidates whose name appear in Annexure-P/4 dated 14/12/2017, all that the respondents have to see is whether the petitioners infact are similarly placed or not and that if they are similarly placed, whether the petitioners are senior to them or not and also circumstances under which the said benefit has been extended to those persons ignoring the seniority of the petitioners.

6. Let this exercise be done by the respondents No. 2 to 4 within a period of 90 days from the date of receipt of copy of this order and an appropriate order be passed accordingly.

7. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit