

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1538 of 2009**

Smt. Kishwer Begum W/o Shri A.S.Farooqui, Aged about 50 years, R/o H. No. HUDCO 349, MIG-II, Bhilai, Durg District, Chhattisgarh State.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through Secretary, School Education Department, DKS Bhawan, Raipur, Chhattisgarh State.
2. CG Public Service Commission, Through Secretary, Shankar Nagar, Raipur, Chhattisgarh State.
3. Shri Ram Niwas Singh S/o Shri Ram Iqbal Singh, Aged about 50 years, R/o MIG II 14, Sector 3, Deendayal Upadhyay Nagar, Raipur, Chhattisgarh State.
4. Shri Hemant Upadhyay S/o Shri Y.C.Upadhyay, Aged about 44 years, District Education Officer, Durg District, Chhattisgarh State.
5. Smt. R. Bambra W/o Shri G.S.Bambra, Aged about 58 years, R/o DP 19 EAC (Collectorate) Colony, Raipur, CG State.
6. Smt. Sunita Sao, W/o Shri Chaggan Lal Sao, Aged about 43 years, R/o PRT Colony, Mahadev Ghat, Amleshwar, Patan Road (via) Raipur, Raipur Chhattisgarh State.
7. Dr. R.P.Yadu, S/o Shri H.L.Yadu, Aged about 45 years, R/o Jawahar Navodaya Vidyalaya, Dongargarh, Rajnandgaon, Chhattisgarh State.

---- Respondents

For Petitioner	: Shri Amrito Das, Advocate.
For Respondent No. 1/State	: Shri Jitendra Pali, Deputy Advocate General and Shri Faiz Kazi, Panel Lawyer.
For Respondent No. 2/CGPSC	: Shri B.D.Guru, Advocate.
For Respondent No. 3	: Shri Rajeev Shrivastava, Advocate.
For Respondent No. 4	: Shri Prateek Sharma, Advocate.
For Respondent No. 7	: Shri Vinod Deshmukh, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice

Order on Board

28/02/2019

1. Heard learned counsel for the Petitioner and the learned counsel for the Respondents.
2. List of the candidates otherwise qualified for promotion to the post of Deputy Director came to be issued by the Chhattisgarh Public Service Commission (for short 'the CGPSC') in terms of the directions made on adjudication in a batch of writ petitions, one of them being Writ Petition (S) No. 599 of 2005, decided on 16.11.2005.
3. On the basis of the said decision and direction of the writ Court, the CGPSC re-issued the list of eligible persons who were to be appointed and have been appointed and they have been working as such for more than a decade and a half.
4. Merely because the Petitioner chose to file the present writ application alleging things as to the award of marks etc. to the selected candidates, the same is not required to be entertained because the option available to him was to assail the order of the learned Single Judge at whose directions the fresh list of Deputy Directors were notified by the CGPSC with only one rectification since nothing adverse was found in the previous list as such and they have been holding the post since then.
5. The writ application therefore is dismissed being devoid of merit. Any indulgence would amount to review of the earlier order of a coordinate Bench, if not re-adjudication.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE