

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6116 of 2007

Harikrishna Paswan S/o Late Shri Buttan Ram, aged about 42 years,
R/o MIG-17, Shivaji Nagar, Korba, District Korba (C.G.).

---Petitioner

Versus

1. The Guru Ghasidas University, Bilaspur (Established by an Act of the State Legislative Assembly), Through The Executive Council of the University, Guru Ghasidas University, Bilaspur, District Bilaspur (C.G.).
2. The Registrar, The Guru Ghasidas University, Bilaspur (Established by an Act of the State Legislative Assembly).
3. Chairman, Selection Committee, for the post of principal of Law College, appointment for Jyoti Bhusan Pratap Singh Law College, Korba (C.G.).

---Respondents

For petitioner	:	Shri V.V.S. Murthy, Senior Advocate along with Shri Vijay K.Deshmukh and Shri Curtis Collins, Advocates.
For resp.Nos.1, 2 & 7	:	Shri Ashish Shrivastava, Advocate.
For resp.Nos. 4 & 5	:	Shri Vinay Pandey, Advocate.
For respondent No.9	:	Shri Sudeep Agrawal, Advocate.
For State	:	Shri Saleem Kazi, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/01/2019.

1. The challenge in the instant Writ Petition is to the advertisement Annexure-P/7 dated 18/01/2007 and the order Annexure-P/11 dated 27/08/2007 the subsequent advertisement which was issued by the respondents.
2. The instant Writ Petition is pending before this Court for the last more than 11 years. There was an interim order initially passed in favour of the

petitioner to the extent of the stay of the selection process and the petitioner was permitted to continue as an incharge Principal.

3. Considering that the Writ Petition now pending before this Court for 11 years, this Court is of the firm view that, the advertisement dated 18/01/2007 and the subsequent advertisement also by efflux of time and by virtue of the interim protection granted by this Court has lost its efficacy.

4. Given the said facts, the respondents would now have to go in for altogether fresh selection process. Needless to mention that subject to the petitioner fulfilling all the eligibility criteria as on date, he would also be entitled to participate in the selection process.

5. The respondents does not seem to have any objection in this regard.

6. The Writ Petition accordingly stands disposed off with a direction to the respondents that so far as of the earlier advertisements which have been issued in respect of the appointment to the post of Principal of the respondents No. 4 & 5 – college which were under challenge in the present Writ Petition or have been published in the intervening period would not be given effect to by the respondents reserving their right to proceed further by way of fresh selection process for the same.

7. At this juncture, it is mentioned that, since the petitioner for long has been discharging his duties as incharge Principal of the respondents No. 4 & 5 – College, in the interest of justice this Court is of the opinion that, till the fresh selection process is not finalized for which the respondents are free to carry out, the petitioner shall continue as an incharge Principal.

8. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit