

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4858 of 2019

Ajay Yadav S/o Late Shishupal Singh Yadav Aged About 58 Years Chief Sanitary Inspector, Nagar, Nigam Rajnandgaon, District Rajnandgaon Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Naya Mantralaya, New Raipur Chhattisgarh.
2. Director Directorate Urban Administration And Development Department, Indrawati Bhawan, Fourth Floor, D- Block New Raipur, District Raipur Chhattisgarh.
3. Municipal Corporation Rajnandgaon, Through Commissioner, Municipal Corporation, Rajnandgaon, District Rajnandgaon Chhattisgarh.

---Respondents

For Petitioner	:	Shri Sanjay Patel, Advocate.
For State	:	Shri P. Acharya, Panel Lawyer.
For Respondent No.3	:	Shri Sourabh Sharma, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03.07.2019

1. The limited relief that the petitioner has sought for in this petition is for an appropriate direction to the respondents to consider creation of the post of Health Officer (Non-MBBS) in the Municipal Corporation, Rajnandgaon.
2. According to the petitioner, the Municipal Corporation, Rajnandgaon, Mayor-in-Council has already recommended for creation of the post of Health Officer (Non-MBBS) and in this regard the Commissioner, Municipal Corporation, Rajnandgaon has already forwarded the recommendation to the State Govt. and the matter is pending consideration before the State Govt. The petitioner therefore prays that the respondents may be directed to take a decision in this regard at the earliest.
3. Without entering into the merits of the case, knowing fully well the constraints that this court under writ jurisdiction has, the writ petition

stands disposed of only with a direction to the State Govt. to consider and decide the recommendation/letter issued by the Municipal Corporation, Rajnandgaon, for creating of the post of Health Officer (Non-MBBS) in accordance with rules, regulations and the policy of the State Govt.

4. It is made clear that this court has not expressed any opinion so far as merits of the case is concerned and the State Govt. is expected of taking a decision purely in accordance with rules.
5. The present writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

inder