

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 5195 of 2019**

Gajendra Kumar Mandavi S/o Shri Kosa Ram Aged About 28 Years R/o  
Village Doleras, Post Pendalnar, Block And Tahsil Chhindgarh, District  
Sukma Chhattisgarh., District : Sukuma, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, New Mantralaya, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Panchayat, Panchayat Secretriare, 36-c -III, Block -II And 2nd Floor, Indrawati Bhawan, Atal Nagar, District Raipur Chhattisgarh.
3. Chief Executive Office, Jila Panchayat District Sukma Chhattisgarh.

**---- Respondents**

|                |   |                                 |
|----------------|---|---------------------------------|
| For Petitioner | : | Mr. Avinash K. Mishra, Advocate |
| For State      | : | Ms. Sunita Jain, GA             |

**Hon'ble Shri Justice P. Sam Koshy**  
**Order on Board**

**16/07/2019**

1. The relief sought for by the petitioner in the present writ petition is for appropriate direction to respondents to consider the candidature of the petitioner for appointment to the post of Lecturer (Panchayat) in Chemistry Subject arising out of the advertisement dated 22.07.2017.
2. The contention of the petitioner is that since the advertisement was issued on 22.07.2017 and the petitioner at that point of time was undergoing his PG final year and had appeared in the final examination and was awaiting the results. The petitioner's application was scrutinized and he was permitted to participate in the recruitment process and he also sat in the written examination conducted by the Professional Examination Board on 27.08.2017. The petitioner came on the second rank in ST category and

was placed at serial No. 9 in the overall ranking. In spite of the petitioner being a meritorious, he was denied appointment. According to the petitioner he was denied appointment only on the ground that on the date when the department started receiving online application i.e. 24.07.2017, the petitioner's result of MSC. Final year has not been declared and therefore he was found to be disqualified from the said selection process. At this juncture, counsel for the petitioner submits that identically placed persons who had also participated in the same examination along with the petitioner have been considered by the other Jila Panchayat I.e.the Jila Panchayat, Narayanpur and Jila Panchayat, Kondagaon and appointment orders have also been issued in favour of those identically placed persons.

3. The limited request that the petitioner has, since the identically placed persons have been considered for appointment by the other Jila Panchayat, let respondent No. 2 & 3 to consider the case of the petitioner also in parity with those candidates. According to the petitioner he has also made a representation in this regard to the respondent No. 2 and which is also still pending.
4. Without expressing anything on the merits of the case, so far as the entitlement of the petitioner is concerned, this Court is of the opinion , let respondent No. 2 take an independent decision so far as the claim of the petitioner is concerned in the light of the contents of the representation that he has made.
5. With the aforesaid observation, the writ petition stands disposed off.

Sd/-  
**(P. Sam Koshy)**  
**Judge**