

**HIGH COURT OF CHHATTISGARH, BILASPUR****WRIT PETITION (S) NO.5921 OF 2019**

Tijau Das Kosle S/o Amoli Das Kosle Aged About 36 Years R/o Village Magarda, Post- Sonpuri Magarda, Tahsil- Kawardha, District Kabirdham Chhattisgarh.

**...Petitioner(s)**

**Versus**

1. State of Chhattisgarh Through The Secretary Health Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. The Director Health Services Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer Kabirdham, District Kabirdham Chhattisgarh.
4. Divisional Joint Director Health Services Surguja, Division Ambikapur, District Surguja Chhattisgarh.
5. Director National Health Mission, District And City Program, Kawardha, District Kabirdham Chhattisgarh.
6. Mission Director National Health Mission, Atal Nagar, Raipur District Raipur Chhattisgarh.

**... Respondent(s)**

|                      |   |                                                                       |
|----------------------|---|-----------------------------------------------------------------------|
| For Petitioner       | : | Shri Dharendra Pande under instructions of Shri Deepak Jain, Advocate |
| For Respondent-State | : | Shri Ayaz Naved, Govt. Advocate.                                      |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**07.08.2019**

1. Challenge in this petition is to the order dated 04.12.2018. Vide the said order, the services of the petitioner have been discontinued for want of sufficient allotment of funds towards salary of the petitioner.
2. Perusal of record would show that the petitioner was initially appointed on contractual basis vide order dated 18.05.2015 (Annexure P/2). The contract appointment was initially for a period of one year and the contractual period has already got lapsed.
3. In view of the fact that the contractual period has since got lapsed, this court does not find any indefeasible right created in favour of the petitioner to challenge the order dated 04.12.2018.

4. The writ petition fails and is accordingly rejected. However, reluctance to entertain the writ petition would not preclude the petitioner from approaching the authorities concerned for fresh appointment on contractual basis.

Sd/-

(P. Sam Koshy)  
**Judge**