

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6246 OF 2019**

Mukesh Kumar Lanjhikar S/o Late Shri Narad Rai Lanjhikar Aged About 33 Years Presently Posted as Assistant Veterinary Field Officer At Cattle Breeding Farm Anjora District Durg. R/o - Village Raveli, Tehsil Kawardha District Kabirdham Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through Its Secretary, Animal Husbandry Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Director Directorate of Veterinary Services, Indrawati Bhawan, Naya Raipur Chhattisgarh.
3. Director Directorate of Village Industry, Block-01, Fourth Floor, Atal Nagar, District Raipur Chhattisgarh.
4. Chhattisgarh Public Service Commission Through Its Secretary Shankar Nagar Road, Raipur Chhattisgarh.

... Respondent(s)

For Petitioner	:	Ms. Diksha Gouraha, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20.08.2019**

1. Challenge in this petition is to the order dated 26.04.2019 (Annexure P/1).
Vide the impugned order, the petitioner's prayer for further extension of time for joining the duty stands rejected.
2. Facts of the case is that, the petitioner applied for the post of Assistant Director (Silk). After participating in the recruitment process, the petitioner got selected and was allocated to District Kawardha and an order of appointment was issued on 03.07.2018 granting one months time for the petitioner to report for duty vide Annexure P/6. The petitioner, on receipt of the same, moved an application for extension of time on 25.07.2018 seeking for one year time for joining. The respondents considered his application and granted him one months additional time for the petitioner to report for duty vide correspondence dated 04.10.2018, which according to the petitioner, he had received on 16.10.2018 and the petitioner was

supposed to report for duty by 10.10.2018 as is explicit from the second paragraph of correspondence dated 04.10.2018. Thereafter, the petitioner again moved an application on 14.11.2018 further seeking for a fresh order to be issued by the respondents with which he could give his joining to the department.

3. This court, at the outset, does not find any strong case made out by the petitioner for interfering with the order Annexure P/1 dated 26.04.2019 for the reason that the petitioner at the first instance itself was granted extension of one months time starting from 11.09.2018. The time limit was expiring on 10.10.2018. Even if the petitioner's contention of his having received the correspondence on 16.10.2018 he does not show his bonafies by joining promptly after 16.10.2018. The conduct of the petitioner does not show that he was keen to give his joining. On the contrary, he had made correspondence on 14.11.2018 seeking for a fresh order to be issued in his favour.
4. Another aspect which cannot be lost sight of is that the petitioner already was working as Assistant Veterinary Officer in the Veterinary Department of the State Govt. If at all if the petitioner was keen to join appointed post as per the order of appointment dated 03.07.2018, the first thing that was required was to tender his resignation in the Veterinary Department, which from the correspondence that the petitioner has made does not show to have been made, which itself shows that the petitioner, at that point of time, was not willing to resign from his department where he was working.
5. All these facts show that as of now the petitioner was not interested to join the post of Assistant Director (Silk) and was only trying to buy time by making repeated correspondence with the respondents, which under service rules is not permissible and also shows that the petitioner was not keen to act upon the order of appointment promptly. Under the

circumstances, this court finds it difficult to issue any writ to the respondents in this regard.

6. Our reluctance to entertain this writ petition should not come in the way of the petitioner for approaching the authorities for an appropriate relief which he intends to seek from the respondents.
7. Accordingly, the writ petition fails and is rejected.

Sd/-
(P. Sam Koshy)
Judge