

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6556 of 2019

1. Chitrakant Sharma S/o Shri Krishna Kumar Sharma Aged About 41 Years Working As Subject Specialist, Thakur Pyarelal State Institute Of Panchayat And Rural Development, Raipur, Chhattisgarh. R/o Village Majarkata, Post Office Malgaon, District Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh
2. Virendra Singh Thakur S/o Shri Karan Singh Thakur Aged About 40 Years Working As Subject Specialist, Thakur Pyarelal State Institute Of Panchayat And Rural Development, Raipur, Chhattisgarh. R/o Ward No. 12, Nayapara, Bhanupratappur, District Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Thakur Pyarelal Institute Of Panchayat And Rural Development, Nimora, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Union Of India Through The Secretary Department Of Rural Development Government Of India, New Delhi.

---- Respondents

For Petitioner	:	Mr. Vikas Dubey, Advocate.
For State/Res. No.	:	Ms. Sunita Jain, GA
For Respondent No. 3	:	Mr. Rajkumar Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/08/2019

1. The challenge in the present writ petition is to the Annexure P-1 which is an internal note-sheet whereby the respondent authorities have taken a decision not to review the contractual appointment but

going for regular appointment. Meanwhile, till the regular appointment is made classes be conducted through engagement of Guest Faculty.

2. Counsel for the petitioner submits that petitioner in the past has worked as Contractual employee and their contract period came to end in October, 2018 and thereafter they have been discontinued. The claim of the petitioner is that in case if the respondent intends to engage Guest Faculty since petitioners fulfill all eligibility criteria and have also worked in the past, considering their experience they be given preferential right and they be engaged as Guest Faculty instead of substituting by some other persons.
3. Prima Facie, this Court is of the view that as of now the petitioner does not have any indefeasible right in their favour as a contract engagement of the petitioner already stands concluded in October, 2018 and thereafter they are not in service. However since the department intends to fill up the post by way of Guest Faculty and petitioners have an experience of teaching in the past, the petitioners may approach the authorities in the department for being considered to be appointed as Guest Faculty or atleast the respondents may consider the claim of the petitioner by giving them some consideration for the experience that they have.
4. Let an appropriate decision be taken in this regard at the earliest.
5. It is made clear that this Court has not expressed any opinion on the merits of the case, so far as entitlement of petitioners is concerned. The authorities concerned would be at liberty to take a decision purely in accordance with law and the administrative exigency.

6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit