

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CONT No. 1174 of 2018**

Neerja Sachdev W/o Shri Rajesh Kumar Sachdev Aged About 45 Years R/o 22/13, Nehru Nagar (West) Bhilai, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner

**Versus**

1. Sunil Kujur ( The Then Secretary Higher Education Department) Higher Education Department Presently Posted As Additional Chief Secretary Agriculture Department, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Suresh Jaiswal Secretary, Higher Education Department, Mantralaya, Naya Raipur, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

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For Applicant : Ms. Khushboo Dua, Advocate

For Respondents : Shri Gagan Tiwari, Advocate

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**S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**26/07/2019**

Heard.

1. This petition has been filed by the petitioner alleging willful disobedience of the order dated 31<sup>st</sup> July 2017 passed in WPS No.3448 of 2017, whereby this Court had directed one post of Assistant Professor to be kept vacant till the next date of hearing.
2. It is brought to the notice of this Court that aforesaid writ petition has finally been disposed off vide order dated 25.1.2018 and since then, several developments have also taken place and now the petitioner's grievance is that despite her selection having been made, her appointment order is not being issued because during the period interim order dated 31.7.2017 was operative, one Punam Thaiwat was given appointment.

3. It appears that much water has flown after the interim order was passed and writ petition has since been disposed off. Therefore, in these circumstances, I am not inclined to proceed further in the matter. However, this Court will not leave the petitioner without remedy and it will always be open for the petitioner to take appropriate remedy seeking a direction for her appointment and in those proceedings, if any instituted, it will be open for the petitioner to say that the respondents were duty bound to keep one post vacant and, therefore, merely because someone has been appointed, her claim could not be denied.
4. Subject to the aforesaid observations, the petition is closed. Rule is discharged.

Sd/-  
(**Manindra Mohan Shrivastava**)  
Judge

Praveen