

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPPIL No. 87 of 2019**

- S. Santosh Kumar S/o V. Sridhar Aged About 35 Years R/o LIG-305, Housing Board Face-3, Village Khilora, Tahsil Abhanpur, District Raipur, Chhattisgarh.

----Petitioner**VERSUS**

1. State of Chhattisgarh through The Secretary Department of Home Affairs, Mahanadi Bhawan Mantralaya, Raipur Chhattisgarh.
2. Director General of Police, Police Head Quarter, Civil Lines Raipur C.G.

-----Respondents

For Petitioner	:	Mr. Yogeshwar Sharma, Advocate
For Respondents/State	:	Mr. Vikram Sharma, Dy. G.A.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****Per P.R. Ramachandra Menon, C.J.****24/10/2019**

1. The petitioner who proclaims himself as a 'public spirited citizen' is before this Court because of the course and proceedings pursued by the respondents and particularly, the 2nd respondent, whereby the earlier recruitment process notified on 29-12-2017 for filling up the post of Constable Cadre has been cancelled quite unceremoniously as per Annexure P/3 notification dated 27-09-2019, that too after completing the process of selection by conducting a written test and physical fitness of the candidates concerned.
2. It is brought to the notice of this Court that a writ petition was filed earlier by way of WPS No. 1923 of 2019 by some candidates who participated in the process of selection seeking for appropriate direction to be given to the respondents to have the recruitment process finalized. The said writ petition was disposed off as per Annexure P/2 judgment dated 18-03-2019, giving a specific direction to the 2nd respondent to take prompt decision on the claim of the petitioners, for which they have already made representations projecting their grievance. This was directed

to be done within the time as specified by the said judgment. In fact, the said writ petition was filed by the petitioner therein seeking for a direction to take the proceedings to a logical conclusion after the initial advertisement of 2017 and the written test and also the interview conducted pursuant to the said process of selection. It was pursuant to the said order, that Annexure P/3 notification came to be passed.

3. Mr. Vikram Sharma, learned Deputy Government Advocate representing the State submits that the writ petition itself is not maintainable and that the petitioner is a stranger and is virtually a name lender.
4. It is also brought to the notice of this Court that the actually aggrieved parties have already moved this Court by filing a writ petition as WPS No. 8633/2019. The said matter came up for consideration before this Court on 18-10-2019 and the learned Single Judge has issued notice to the respondents also granting interim stay of any fresh recruitment process, pursuant to the order of cancellation i.e. Annexure P/1 order dated 27-09-2019 therein.
5. In view of the above fact that the order under challenge in the present writ petition has already been subjected to challenge by the actually aggrieved persons, it is no more required for the petitioner to present this matter agitating the same by way of public interest litigation.
6. In the said circumstances, the writ petition stands dismissed.
7. Interference declined in the writ petition will not, in any manner, affect the pleadings and prayers of the parties in the writ petition.

Sd/-
(P.R. Ramachandra Menon)
 Chief Justice

Sd/-
(Parth Prateem Sahu)
 Judge