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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 246 of 2011**

1. Dr. Nagendra Kumar Pandey S/o Ramji Prasad Pandey, Child Specialist, District Hospital, Ambikapur, District Surguja (CG), R/o District Hospital Campus, Ambikapur, District Surguja (CG)
2. Dr. R. N. Gupta S/o T. P. Gupta, Medical Specialist, District Hospital, Ambikapur, District Surguja (CG), R/o in front of Church, Bhatti Road, Ambikapur, District Surguja (CG)
3. Dr. Ashok Jaiswal S/o R. K. S. Jaiswal, Surgical Specialist, District Hospital, Ambikapur, District Surguja (CG), R/o Bauripara, Ambikapur, District Surguja (CG)

---- Petitioners**Versus**

1. State of Chhattisgarh through Secretary, Health & Family Welfare Department, DKS Bhawan, Raipur (CG)
2. Director, Health Services, Directorate Health Services, Chhattisgarh, Purana Nursing Hostel, DKS Bhawan Mantralaya Parisar, Raipur (CG)
3. Chief Medical & Health Officer, Ambikapur, District Surguja (CG)
4. Dr. Vedram Singh, Child Specialist, District Hospital, Ambikapur, District Surguja (CG)
5. Dr. Indraman Singh Thakur, Surgical Specialist, District Hospital, Kawardha, District Kawardha (CG)
6. Dr. Rupendra Kumar Bhuarya, Pathology Specialist, District Hospital, Kawardha, District Kawardha (CG)
7. Dr. Gopal Singh Kanwar, Radiology Specialist, District Hospital, Bilaspur, District Bilaspur (CG)
8. Dr. Minithiyodora Minj, Gynecologist, CHC, Lormi, District Bilaspur (CG)
9. Dr. Pawan Kumar Singh, Paediatrics, CHC Lormi, District Bilaspur (CG)

10. Dr. Khaman Singh Shandilya, Anesthesia Specialist, District Hospital, Dhamtari, District Dhamtari (CG) at present In-charge Chief Medical Officer, Dhamtari, District Dhamtari (CG)
11. Dr. Anandram Gota, Orthopedic Specialist, District Hospital, Kanker, District Kanker (CG)
12. Dr. Pradeep Kumar Narula, Paediatrics Specialist, District Hospital Janjgir, District Janjgir Champa (CG) at present In-charge C.S, District Janjgir-Champa (CG)
13. Dr. Smt. Rama Singh, Paediatrics Specialist, Office of Chief Medical Officer, Raipur, District Raipur (CG)

---- Respondents

For Petitioners	:	Mr. Manoj Paranjpe, Advocate
For State/Respondents 1 to 3	:	Ms. Sunita Jain, Govt. Advocate
For Respondents 4 & 12	:	Mr. R. V. Rajwade, Advocate
For Respondents 5 & 6	:	Mr. Rajeev Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

29.06.2020

1. The challenge in the present writ petition was to the impugned order Annexure P-1 dated 16.09.2010 passed by the respondent no.1 wherein one of the representations of the petitioners has been rejected claiming seniority over the private respondents and also claiming seniority for the adhoc period that they have worked on the promoted post.
2. Perusal of Annexure P-1 would show that, it is a three line order, rather it is a one sentence order. There is no reason, justification or explanation given in the said order. Though the order seems to be in respect of petitioner no.1 who has since retired, we are told that

petitioner no.2 is still in service. Petitioner no.3 has also since retired and there seems to be no representation of the petitioner no.2 on record which stands decided and which could be challenged by the petitioner no.2.

3. Since the impugned order Annexure P-1 is a non speaking order, this Court is of the opinion that by efflux of time and with the change of circumstances in between, ends of justice would meet if the present writ petition itself can be disposed of directing the petitioner no.2 to approach the respondent no.1 by way of a fresh representation in addition to any representation that he has made in the past and the respondent no.1 in turn is directed to consider the said representation in accordance with the rules and regulations governing the field. It is ordered accordingly.
4. Considering the fact that the matter is of the year 2011, it is expected that the respondent no.1 shall decide the representation of the petitioner no.2 within a period of 90 days from the date the petitioner no.2 makes a fresh representation.
5. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge