

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3423 of 2020**

- Vijeta Kujur D/o Lt. James Kujur Aged About 27 Years
Resident Of 127, Kharsiya Road, Raigarh, Ward No. 04,
Raigarh, District- Raigarh, Chhattisgarh ---- **Petitioner**

Versus

1. State of Chhattisgarh Through Secretary, Health And Family Welfare, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
2. Director Directorate Health Services, III rd Floor, Indravati Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
3. Joint Director (Nursing) Directorate Health Services, IInd Floor, Indravati Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
4. Divisional Joint Director Health Services, Regional Family Welfare Training Centre, Campus, Seepat Road, Sarkanda, Bilaspur, District- Bilaspur, Chhattisgarh ---- **Respondents**

For Petitioner : Mr. Chitendra Singh, Advocate.
For State : Mrs. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****28-08-2020**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner was initially appointed as Staff Nurse by order dated 7-1-2019 (Annexure P/1) and she was to join to the place of

posting by 21-1-2019. However, she made a representation to the respondent authorities on various grounds, however, while the said representation was pending, another communication was received by the petitioner on 14-2-2019 (Annexure P/2) wherein the petitioner was informed that since the petitioner has not joined according to the Clause 15 of the appointment letter, it would be deemed automatic cancellation of the appointment of the petitioner. He would further submit that the father of the petitioner died by heart-attack and mother of the petitioner is suffering from cancer, therefore, she could not join. It is further contended that in the like situation, representation of the another employee was considered and decided, leaving the representation of the petitioner undecided. Learned counsel for the petitioner, at this stage, prays that the petitioner has already filed representation before the respondent authorities which is still pending and the same may be considered and decided.

3. On the other hand, learned State counsel opposes the arguments of learned counsel for the petitioner and would submit that more than 1 & 1/2 years have passed, but the petitioner failed to join, therefore, her appointment was rightly cancelled.
4. The documents filed along with petition also do not demonstrate as to what representation of the petitioner is

pending. In th facts and circumstances of the case, without making any observation on the right of the petitioner to the post of appointment, it is observed that if the representation of the petitioner is still pending, the same may be considered and decided by the respondent authorities within a reasonable time.

5. With the aforesaid observation/direction, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Raju