

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPIL No. 89 of 2020**

Chandrakant Pargir S/o Shri M. L. Pargir Aged About 48 Years R/o Kalpna Nagar, Gadhel Para, Baikunthpur, District Koriya Chhattisgarh.

---- Petitioner**Versus**

1. The State of Chhattisgarh Through The Chief Secretary Ministry At Mahanadi Bhawan, Atal Nagar, Raipur, Police Station- Rakhi, District Raipur Chhattisgarh.
2. The Secretary Forest Department, Ministry At Mahanadi Bhawan, Atal Nagar Raipur, Police Station -Rakhi, District Raipur Chhattisgarh.
3. The Secretary General Administrative Department, Ministry At Mhanadi Bhawan, Atal Nagar, Raipur, Police Station- Rakhi, District -Raipur, Chhattisgarh.
4. The Principal Chief Conservator Forest Aranya Bhawan, Sector 19, Atal Nagar, District : Raipur, Chhattisgarh.

-----Respondents

For Peitioner	: Shr Jai Prakash Shukla, Advocate.
For State	: Shri Vikram Sharma, Dy. Government Advocate.

Hon'ble Shri PR Ramachandra Menon, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu
Judgment on Board

Per PR Ramachandra Menon, CJ
16.09.2020

1. The petitioner has moved this Court with the following prayers :-

“10.1. That this Hon'ble Court may kindly be pleased to direct the respondent authorities to call the entire records pertaining to this case.

10.2. That the Hon'ble Court may kindly be pleased to issue writ in the nature of certiorari, prohibition and mandamus, directing to the respondent authorities to declare the provisions or Rule 2015 unconstitutional and

illegal to the extent it relates to the provisions for appointment on the post of assistant conservator forest and forest range through promotion even without possessing the minimum educational qualification.

10.3 Hon'ble Court may kindly further be pleased to direct the respondent authorities to amend the provisions of clause-13 to 18 of Rule 2015 relating to the appointment on the post of assistant forest conservator and forest ranger through promotion, by making provisions for minimum education for the promoted post in the scheduled 3 in same way as it is mandated for the appointment on the said post through direct recruitment.

10.4 Hon'ble Court may kindly further be pleased to declare the impugned seniority list of ranger and deputy ranger published separately as on dated 01.04.2020 as unconstitutional, illegal and arbitrary.

10.5 Hon'ble Court may kindly further be pleased to direct the respondent authorities to consider and decide the representation pending before them pertaining to amendment in the respective clause of Rule 2015 providing appointment through promotion on the post stated above, and further to pass any other order which deems fit including cost of the petition in the interest of Justice.

2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent/State at length.
3. On doubting the prayers raised for causing the service rules to be amended and also as to the maintainability of the proceeding filed as a "Public Interest Litigation" by a stranger for causing the Service Rules to be amended, the learned counsel for the petitioner submits that the petitioner might be permitted to withdraw the writ petition without prejudice

to his rights and liberties to pursue other appropriate remedies in accordance with the law.

4. Permission is granted. The writ petition stands dismissed accordingly.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge