

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 606 of 2021**

Laxmi Narayan Verma S/o Prem Narayan Verma Aged About 39 Years
Occupation Peon, Office At State Planning Commission, Rajnandgaon
Mantralaya Campus, New Raipur Chhattisgarh

Residing At Ward No. 16, BNC Mill Colony, Jail Road Rajnandgaon
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur Civil And Revenue District Raipur Chhattisgarh
2. The Member Secretary State Planning Commission, M-4/26, Mahanadi Bhawan, Mantralaya, New Raipur District Raipur Civil And Revenue District Raipur Chhattisgarh
3. Deputy Secretary General Administration Department Mahanadi Bhawan, Mantralaya, New Raipur District Raipur Civil And Revenue District Raipur Chhattisgarh
4. Ram Avadh Yadav Occupation Peon R/o House No. C-1/3 Officers Colony, Devendra Nagar Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ashok Patil, Advocate
For State	:	Mr. Amit Buxy, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/02/2021**

1. The relief that the petitioner has sought for in the present writ petition is for an appropriate direction to the respondent No.2 to consider the case of the petitioner in the light of the notification dated 28.10.2015 (Annexure P/3).
2. Perusal of the impugned order in the instant case would clearly reflect that the authorities concerned have considered the case of the petitioner and have not found him eligible for the reason that the

petitioner is not in employment under the respondents from December, 2018 itself. According to the authorities, the notification of 2015, which the petitioner is trying to get invoked, would be applicable only to only those employees, who are presently under the service of the respondents. Undisputedly, the petitioner in the present writ petition stood discontinued from service way back in December, 2018. The order of discontinuance or the removal of the petitioner from service is not in dispute or not under challenge in the present writ petition, nor is there any order whereby it has been held that the petitioner has been wrongly discontinued.

3. Given the said facts, the admitted position as on date is that the petitioner is a not in the rolls of the respondents any further and in the absence of being in the rolls of the respondents, the petitioner would not be entitled for consideration of his candidature in terms of the notification dated 28.10.2015.
4. For the aforesaid facts and circumstances of the case, this Court does not find any merits made out by the petitioner calling for an interference with the impugned order (Annexure P/1). The writ petition thus being devoid of merits deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved