

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 680 of 2021**

Mohit Ram S/o Shri Santram, Aged About 28 Years, Resident Of
Village Chhediya, Tahsil And P.S. Gurur, District Balod, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Medical And Health, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
2. Collector, Balod, District Balod, Chhattisgarh
3. Chief Medical And Health Officer, Balod, District Balod, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Shailendra Kumar Sharma, Advocate
For State	:	Mr. Amit Buxy, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18.02.2021**

1. The grievance of the petitioner in the present writ petition is the advertisement dated 18.10.2019 published by the respondents for filling up of the post of Junior Secretarial Assistant (NHM).
2. According to the petitioner, he had participated in the earlier recruitment process initiated by the respondents vide advertisement dated 19.06.2018 Annexure P-2. The petitioner successfully participated in the said recruitment process and the name of the petitioner appeared at serial no.1 in the waiting list that was published on 17.01.2019. According to the petitioner, the validity of that waiting

list was for a period of one year and in the event of any vacancy arises in between, the respondent-authorities ought to have granted appointment to the petitioner filling up of the said post. However, contrary to the same, the respondents have published a fresh advertisement detrimental to the interest of the petitioner vide Annexure P-1 dated 18.10.2019 thereby the claim of the petitioner stands adversely affected.

3. Perusal of the record would show that normally the validity of a waiting list is for a period of one year or till a fresh advertisement is issued by the State authorities. This by itself means that the authorities would have a liberty to publish a fresh advertisement at any point of time and the moment the fresh advertisement is published, the validity of the waiting list automatically gets lapsed. In the instant case also it is this what has happened after about 10 months from the time the waiting list reflecting the name of the petitioner was published on 17.01.2019, in order to fill up the subsequent vacancy, the respondents have published the advertisement thereby making the validity of the earlier waiting list getting lapsed. Undoubtedly, the petitioner also could have participated in the second recruitment process also.
4. The writ petition therefore being devoid of merits deserves to be and is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**