

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1836 of 2021**

- Rupali D/o Shri Anish Raj Aged About 32 Years, Posted As Communist Nurse, District Hospital, District Mungeli Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Atal Nagar Nawa Raipur District Raipur Chhattisgarh.
2. The Director Directorate Healht Services, Indrawati Bhawan, 3rd Floor, Nava Raipur District Raipur Chhattisgarh.
3. Divisional Joint Director Health Services, Regional Health And Family Welfare Training Center, Parisar, Sipat Road, Bilaspur District Bilaspur Chhattisgarh.
4. The Collector, Bilaspur District Bilaspur Chhattisgarh
5. The Chief Medical And Health Officer Bilaspur District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	: Mr. Achyut Tiwari, Advocate
For Respondents/State	: Mr. Aditya Bharadwaj, P. L..

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/03/2021**

1. The defaults pointed out by the Registry of this Court in the instant case stands ignored as of now.
2. Heard the matter finally on admission stage with the consent of learned counsels appearing for their respective parties.
3. The issue involved in the present Writ Petition is only to the extent whether the petitioner has been rightly not granted the marks for the experience that she has, while scrutinising her credentials for appointment to the post of Divisional Level Staff Nurse.

4. Learned counsel for the Petitioner submits that on 14.08.2020 the Respondents had issued an Advertisement for filling up of regular vacancy for the post of Divisional Level Staff Nurse, pursuant to which the Petitioner submitted her application form alongwith experience certificate at District Mungeli where total 91 posts were advertised. Contention of learned counsel for Petitioner is that the Petitioner is working as Nurse, District Hospital, District- Mungeli (C.G.) since 2014 and thus she has an experience of more than 7 years and therefore she is entitled for the maximum marks towards experience that she has, but she has not been awarded any marks for the same. According to learned Counsel for Petitioner, the Petitioner immediately raised an objection in this regard with the authorities concerned but the same has been rejected by the authorities and now the final merit list has also been published by the authorities which is in contravention to clause 21.2 of the Advertisement.

5. Given the facts and circumstances that the Petitioner has narrated in the Writ Petition, this Court is of the opinion that no fruitful purpose would be served in keeping the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed of at this juncture directing the Petitioner to approach Respondent Nos. 2 & 5 by way of a fresh representation to be made within a period of 10 days. The Respondent Nos. 2 & 5 in turn shall consider the same and shall also duly scrutinise the documents submitted by the Petitioner alongwith her application so far as her experience and awarding of marks for experience is concerned. Thereafter an appropriate decision be taken within a outer limit of 60 days from the date of receipt of representation of Petitioner. The decision of Respondent Nos. 2 & 4 should be communicated to Petitioner promptly.

6. With the aforesaid direction/observation, the Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge