

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.4370 of 2010**

Kiran Shrivastava, D/o M.D. Shrivastava, aged about 46 years, R/o Dalli-Rajhra, District Durg (CG)

----- **Petitioner**

Versus

1. State of Chhattisgarh, through the Principal Secretary, Panchayat and Rural Development Department, D.K.S.Bhawan, Raipur (CG)
2. Collector, District-Durg (CG)
3. Chief Executive Officer, Zila Panchayat, Durg (CG)
4. Chief Executive Officer, Janpad Panchayat Dondi, Dist.Durg (CG)

----- **Respondents**

For Petitioner	: Mr.Bhaskar Payashi, Advocate
For Res.No.1 and 2/State:	Mr.Ravi Kumar Bhagat, Dy.G.A.
For Respondent No.3	: Mr.Pawan Shrivastava, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

27.7.2021

1. Proceedings of this matter have been taken-up through video conferencing.
2. Mr.Bhaskar Payashi, learned counsel for the petitioner, would submit that in recruitment process initiated by respondent No.3/Chief Executive Officer, Zila Panchayat, Durg in January, 2008, the petitioner appeared and selected on the post of Shiksha Karmi Grade-I in Commerce category on 9.3.2008, but appointment of selected category was not made and validity of select list was extended till 30.6.2009, but thereafter the petitioner was not selected. Aggrieved by her non-

appointment, the petitioner has filed this writ petition on 8.8.2010 and prayed for issuance of direction to the respondents to appoint the petitioner on the post of Shiksha Karmi Grade-I in Commerce Category.

3. On the other hand, Mr. Pawan Shrivastava, learned counsel for respondent No.3, would oppose the writ petition and submit that writ petition was filed with a delay when particularly in the year 2009 fresh recruitment process has been initiated and completed, therefore, the petitioner is not entitled for any relief as prayed for.

4. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.

5. It is correct to say that in recruitment process initiated by respondent No.3 in the year 2008, the petitioner was selected for the post of Shiksha Karmi Grade-I in Commerce category on 9.3.2008, but she could not be appointed and validity of select list has been expired on 30.6.2009. It is the case of respondent No.3 that thereafter fresh recruitment process has been initiated for appointment of Shiksha Karmi Grade-I, which has been concluded and Shiksha Karmi Grade-I has been appointed. This writ petition has been filed by the petitioner on 8.8.2010, whereas validity of select list of earlier recruitment has already been expired on

30.6.2009, as such, this writ petition cannot be entertained for two reasons. Firstly, this writ petition has been filed on 8.8.2010 after the validity of select list of first recruitment has already been expired on 30.6.2009 and secondly, according to respondent No.3, fresh recruitment process has been initiated for appointment of Shiksha Karmi Grade-I and that has been completed and Shiksha Karmis have been appointed, which has not been called in question by the petitioner.

6. In that view of the matter, the present writ petition deserves to be dismissed on the ground of delay as well as on the ground of non-challenge to subsequent recruitment. No relief can be granted to the petitioner.
7. Accordingly, the writ petition being devoid of merit is liable to be and is hereby dismissed. No order as to cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-