

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 2368 OF 2021**

- Janak Ram Sao, S/o Shri Saheb Ram Sao, aged about 37 years, R/o P/o Kondatarai, Tahsil Pussour, District Raigarh (CG) ... **Petitioner**

versus

1. State of Chhattisgarh, through the Secretary, Department of Health and Family Welfare, Mantralaya, Naya Raipur, District Raipur (CG)
2. The Mission Director, National Health Mission Raipur, Tahsil & District Raipur (CG)
3. The Chief Medical and Health Officer, Raigarh, Tahsil & District Raigarh (CG)
4. The Collector, Raigarh, Tahsil and District Raigarh(CG)... **Respondents**

For Petitioners	:	Mr. Abhishek Saraf, Advocate.
For Respondents/State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15/06/2021**

1. The limited grievance that Petitioner has raised in the present Writ Petition is for an appropriate direction to Respondents No. 2 & 3 in respect of the recruitment to the post of O.T. Technician.

2. Learned Counsel for Petitioner submits that the only grievance of Petitioner is that he has not been given any marks for the experience that he has, however, the Respondents under the similar circumstances and with similar experience have granted marks to other candidates who have participated in the recruitment process and in case the Petitioner also is allotted the marks for his experience, his merit would also get improved. Further that he has made representations /objection in this regard but the authorities have till date not considered the same.

3. Learned State Counsel on the other hand submits that from the pleadings, it appears that the Petitioner belongs to OBC category, however, the said category has got no post reserved and therefore the Petitioner may not be considered. The other ground which the learned State Counsel raises is

that whatever marks for the experience that would have to be strictly in accordance with the conditions stipulated in the advertisement.

4. Given the submissions by learned Counsels for the parties, this Court is of the opinion that since the final appointment orders have till date not been issued and the selection process is still undergoing, ends of justice would meet if the present Writ Petition is disposed of with a direction to Respondents No. 2 & 3 to scrutinize the eligibility of Petitioner, particularly his experience and the experience certificate that he has submitted and verify whether the others have been granted marks for the experience under similar circumstances or not, after due scrutiny, let an appropriate decision be taken at the earliest, preferably within a period of 45 days on the representation/objection of Petitioner. It is expected that the Respondents shall not finalize the recruitment process before considering the representation/objection of Petitioner. In addition the petitioner is also at liberty to file a fresh objection before Respondents 2&3 within 7 days from the date of receipt of the copy of this order.

5. Writ Petition accordingly stands disposed of with the above direction/observation.

sharad

**Sd/-
(P. Sam Koshy)
JUDGE**