

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.1262 of 2013

Sonraj Banjare, S/o Premdas Banjare, aged about 28 years, R/o Village Khapari, Post Nandel, District Bemetara (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through its Secretary, Health Department, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. The Superintendent, Chhattisgarh Institutes of Medical Science (CIMS), Bilaspur, District Bilaspur (C.G.)
3. The Joint Director cum Superintendent, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur, District Raipur (C.G.)
4. The Chief Post Master General, Chhattisgarh Circle, Raipur (C.G.) PIN 492001
5. The Superintendent of Post Office, Raipur Division, Raipur (C.G.)
6. The Superintendent of Post Office, Bilaspur Division, Bilaspur (C.G.) PIN 495001
7. The Superintendent Sub-Division Post Office, Bemetara, District Bemetara (C.G.)
8. The Post Master, Branch Post Office, Nandel, Sub-Post Office Navagarh, District Bemetara (C.G.) PIN 492337

---- Respondents

For Petitioner: Mr. B.L. Sahu, Advocate.

For Respondents No.1 to 3 / State: -

Mr. Soumya Rai, Panel Lawyer.

For Respondents No.4 to 8: -

None present though served.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/09/2021

1. Mr. B.L. Sahu, learned counsel appearing for the petitioner, would submit that though the petitioner was well qualified for the posts of Radiographer and Lab Technician for which he applied and

examination was fixed on 23-1-2013, but he received call letter on 30-1-2013 after seven days of the examination / interview, therefore, he could not appear in the said examination / interview and could not be selected, however, thereafter, again, he applied and the examination / interview was fixed on 3-3-2013, but this time, he received call letter after expiry of 20 days of the date of examination and therefore for the second time, he could appear in the examination / interview and could not be selected. Therefore, because of the delay / inaction on the part of the respondents, the petitioner has lost two opportunities and was deprived of getting selected and appointed on the post of Radiographer / Lab Technician and thus, he has suffered a lot.

2. Mr. Soumya Rai, learned State counsel appearing for respondents No.1 to 3, would oppose the writ petition.
3. None present for respondents No.4 to 8 though served.
4. True it is that due to delay of postal service, the petitioner could not get call letter right in time and could not appear in the examination / interview and thus, could not avail the opportunities to get selected for the said posts. But in the instant writ petition, disputed question of facts is involved which cannot be dealt with and no compensation can be directed to be paid to the petitioner by the official respondents responsible for delay in serving the call letters. However, the petitioner is at liberty to proceed in accordance with law and this order will not make any bar to the petitioner proceed in accordance with law.
5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge