

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4771 of 2021

1. Kiran Kumar S/o Shri Ram Kumar Sen, Aged About 27 Years R/o 159, Ward No. 09, Bhardkhurd, Balod District Balod Chhattisgarh.
2. Dineshwar S/o Shri Chumman Lal, Aged About 27 Years R/o House No. 225, Ward No. 09, Bade Para, Near Amarnath Mandir, Taraud, Balod District Balod Chhattisgarh, District : Balod, Chhattisgarh
3. Pradeep Kumar Chinda S/o Shri Sant Kumar Chinda, Aged About 27 Years R/o Harshit Bihar Colony, Birgaon, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Rajkumar Nirmalkar S/o Shri Bhagwat Nirmalkar Aged About 34 Years R/o House No. 242, Ward No. 10, Village Taksiwa, Post Lawatara, Bemetara District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh
5. Devesh Kumar Markam S/o Shri Chain Singh, Aged About 25 Years R/o Ward No. 19, Belar Bazar, Hirridih, Belargaon, Dhamtari, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh
6. Dravin Singh S/o Shri Upendra Singh, Aged About 24 Years R/o 09, Ward No. 17, Rajput Para, Tekapar Balod, District Balod Chhattisgarh.
7. Ranjeet Kumar Nag S/o Shri Arjul Lal, Aged About 27 Years R/o House No. 17, Ward No. 02, Beech Para, Bodra, Dhamtari, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department of Home (Police), Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur Chhattisgarh.
2. Director General of Police, Police Headquarters, Block No. 4 Sector 19, Near Indrawati Bhawan, Atal Nagar, District Raipur Chhattisgarh.
3. Additional Director General of Police (Chhattisgarh Armed Force), Police Headquarters, Block No. 4 Sector-19, Near Indrawati Bhawan, Atal Nagar, District Raipur (Chhattisgarh).

---Respondents

For Petitioners	:	Smt. Naushina Ali, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.09.2021.

1. The present writ petition has been filed claiming for the following reliefs:

“10.1. That, the Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioners.

10.2. That, the Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and direct the respondents No.2 to consider the case of the petitioners for appointment on the vacant

posts of Constable (GD) Constable Trade Man (Naai), Constable MT (Driver), Constable Trade Man (Cook) and Constable Trade Man (Dhobi) in the Chhattisgarh Armed Force from the Waiting list.

10.3. That, the Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and direct the respondent authorities i.e. respondent No.3 to send the candidates selected from the waiting for training at the earliest.

10.4. Any other relief/reliefs which the Hon'ble Court may deem fit and proper in the facts and the circumstances of the case may also kindly be granted.”

2. The entire matter pertains to the recruitment to the post of Constable in respect of different Trades in the Chhattisgarh Armed Force. The advertisement was published on 25.01.2018 and the petitioners since they were eligible has participated in the recruitment process and when the results were published on 28.08.2018 the name of the petitioners were found placed in the waiting list.
3. The grievance of the petitioner now is that when the recruitment process was initiated, the number of posts advertised was 1786 and that the State authorities had not filled up the entire 1786 posts and large number of posts were still to be filled up by the respondents and in the course of time the petitioners became eligible for being considered against the vacant post that were lying with the respondents which the respondents did not fill up and those vacancies being filled up by the respondents at that point of time since the petitioners whose name appeared in the waiting list, would have become eligible for appointment.
4. The present writ petition has been filed on 25.08.2021 i.e. after three years from the date the results of recruitment process was published in August, 2018. Under the service rules and guidelines governing the field, the validity of select list is only for a period of 12 months or till the select list from another recruitment process is published, whichever is earlier. In the

instant case 12 months was over on 28.08.2019 and on the date when the writ petition was filed it is more than three years time that the list was already published. Thus, for all practical purposes the validity of the said list published by the State authorities for recruitment to the post of Constable in different Trade had already lapsed.

5. Given the fact that list has already been lapsed and the writ petition itself being filed much after the validity of the said list having lapsed, this court at this juncture would find it difficult for issuance of any direction to the respondents for firstly reviving the list and thereafter to consider the case of the petitioners whose names otherwise was reflected in the waiting list.
6. The writ petition thus being devoid of merit deserved to be and is dismissed.

Sd/-
(P. Sam Koshy)
Judge

inder