

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4943 of 2021**

Rakesh Mishra S/o Shri Vidya Ram Mishra, Aged About 27 Years,
R/o House No. 221, Gram Meduka, Gram Panchayat Meduka,
Gaurela (Pendra Road) District Gaurela - Pendra - Marwahi
Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through The Secretary, Department Of Electronics And Information Technology (Deit Y) Government Of India, New Delhi
2. State Of Chhattisgarh, Through CEO, C.G Infotech Promotion Society (ChiPS), 3rd Floor, State Data Center Building, Opp New Circuit House, Civil Lines, Raipur - 492001 Chhattisgarh.
3. The Collector, Through District Selection Committee For E-District Manager, Gaurela - Pendra – Marwahi, District GPM - Chhattisgarh.
4. Abhishek Tripathi, E-District Manager, Gaurela Pendra - Marwahi, District GPM - Chhattisgarh. Addr - Office Of The Collector, GPM.

---- Respondents

For Petitioner	:	Miss. Anmol Sharma & Sameeksha Gupta, Advocates
For Respondent no.1	:	Mr. Amit Banerjee, Advocate
For Respondents 2 & 3	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.09.2021**

1. The matter pertains to the appointment to the post of E-District Manager for district Gaurela-Pendra-Marwahi. An advertisement for filling up of the post of E-District Manager was published on 09.04.2021. Initially a provisional list was published on 17.05.2021

reflecting all the eligible candidates where the petitioner is said to have scored the maximum marks i.e. 42.78%. The name of petitioner continued to remain at serial no.1 in the merit list even when the second list was published on 09.06.2021. However, subsequently when the final merit list was published on 21.06.2021, the petitioner has been placed at serial no.2 and respondent no.4 has been placed at serial no.1 in the order of merit. The petitioner is aggrieved of the said final list published by the Department where the respondent authorities are said to have shown some extra favour to respondent no.4 while allotting marks particularly in respect of experience.

2. The contention of petitioner is that as per the advertisement, the post of e-district Manager has to be filled from among the local residents of district Gaurela-Pendra-Marwahi and in the instant case, respondent no.4 is not even a resident of the State of Chhattisgarh and even then he has been shown meritorious over and above the petitioner.
3. At this juncture, learned counsel appearing for petitioner prays that as of now the writ petition may be disposed of directing the respondent no.3 to take an appropriate decision on the representation/objection which the petitioner has made to the respondent no.3 against the final merit list that has been published.
4. To this limited prayer, learned state counsel does not oppose. However, it is submitted that the case of petitioner shall be considered strictly in accordance with the rules governing the field. State counsel further submits that the final list has been published only after inviting objections from all the candidates which otherwise is denied by the petitioner stating that calling of objections was never published or notified.

5. Be that as it may, the writ petition at this juncture stands disposed of directing the respondent no.3 to take an appropriate decision on the representation of petitioner which he has made with reminders on 28.06.2021, 13.07.2021 and 03.08.2021 at the earliest preferably within a period of 45 days from the date of receipt of a copy of this order. The petitioner would also be at liberty to file a fresh representation along with all relevant documents to the respondent no.3 in respect of his grievances.
6. With the aforesaid observations, the writ petition stands disposed of.

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