

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4163 of 2020**

1. Dr. Amal Kumar Jha S/o Shri B. Jha Aged About 64 Years Surgical Specialist , District Hospital , Bilaspur , District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Addl. Chief Secretary, Department Of Health And Family Welfare Mantralaya Bhawan, New Raipur.
2. The Director Health Services, Indrawati Bhawan, Iiird Floor, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Dr. Anil Gupta Medical Specialist District Hospital , Bilaspur , District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ravindra Agrawal, Advocate.
For State	:	Mr. Amrito Das, Addl.A.G.
For Respondent/s	:	Mr. Pallav Mishra, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.09.2021**

1. The present writ petition has been filed seeking for quashment of the order dated 01.10.2020 whereby Incharge of the Civil Surgeon cum Chief Hospital Superintendent, District hospital Bilaspur was given to the private respondent No. 3.

2. The petitioner's claim was that since he was senior, he should have been considered for the said post. This Court initially had granted an interim protection staying the effect and operation of the impugned order vide order dated 19.10.2020, which till date is in force.
3. Counsel for the respondents today submits that by efflux of time, the petitioner herein has crossed the age of superannuation and as such the present writ petition has rendered infructuous. This fact is not disputed by the counsel for the petitioner.
4. Given the fact that the petitioner stands retired in the month of August 2021, the present writ petition at this juncture is disposed of as having become infructuous. However, it is made clear that the contempt petition which is pending consideration before this Court in-respect-of non-compliance of the order passed by this Court on 19.10.2020 would have no bearing on disposal of the present writ petition as the present is being disposed of only on the ground of the petitioner having crossed the age of superannuation.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge

J/-