

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5023 of 2021

Ali Hasan S/o Sayyad Laiquek Aged About 36 Years R/o Korba Road,
Village Lailunga, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Chhattisgarh Public Service Commission (Through Secretary), Shankar Nagar Road, Bhagat Singh Square, Raipur, District Raipur Chhattisgarh
3. Examination Controller Chhattisgarh Public Service Commission, Shankar Nagar Road, Bhagat Singh Square, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dev Ashish Biswas, Advocate.
For State	:	Mr. Amrito Das, Addl. AG
For Res.-CGPSC	:	Mr. Anand Mohan Tiwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/09/2021

1. The petitioner in the present writ petition assails the select list published on 19.06.2021 in respect of recruitment pertaining to the post of Assistant Professors (Higher Education Department).
2. The advertisement in the instant case was published as early as on 23.01.2019 and petitioner found to be eligible participated in the recruitment process for and for which the examination were conducted on 05.11.2020. Immediately after the examination, the model answers were published on 19.11.2020. the petitioner submits that he had tendered his objection to the authorities concerned in respect of the model answers and

finally the final answers i.e. the amended answers were published by the respondents after the due consideration of the all objections that were raised by the candidates. Though, the final answers i.e. the amended answers was published on 18.01.2021, the petitioner had not agitated the outcome thereafter and final select list was published on 19.06.2021 and by efflux of time the order of appointment also have been issued for the selected candidates.

3. It is now that petitioner has assailed the select list on the ground that amended answers published by the respondents on 18.01.2021 is erroneous.
4. A similar writ petition came up for hearing i.e. WPS 2503/2021, this Court taking into consideration the decision rendered by the Division Bench of this Court in the case of **Umang Gauraha Vs. State of Chhattigarh and others**, in **Writ Appeal No.165/2020** decided on 10.12.2020 had rejected the writ petition. In the instant case also this Court finds that the petitioner herein though for the first instance had raised an objection in respect of the model answers published. However subsequent to the final answers that were published, he had not assailed the same which forces this Court to infer that he was not aggrieved of the final answers published by the respondents at that point of time. The petitioner in the Select list also was placed at Serial No.1 in the waiting list and it is only now that since the petitioner was not considered for appointment in respect of his place at serial no.1 in the waiting list, has now filed the writ petition.
5. For the reasons laid down by the Division Bench of this Court in the case of **Umang Gauraha Vs. State of Chhattigarh and others** and also for the fact that petitioner has approached this Court at a belated stage after substantial right had been created in respect of those persons who have

been found meritorious as per the final answers published, this Court does not find any strong case made out calling for an interference with the impugned order dated 19.06.2021. The writ petition thus sans-merits and deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Rohit