

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5451 of 2021**

1. Smt. Meena Sahu W/o. Harinarayan Sahu, Aged About 32 Years R/o House No. 46, Ward No. 05, Bazar Chowk, Somni, Rajnandgaon- 491441 (Chhattisgarh),
2. Smt. Tamin Verma W/o. Sharad Verma, Aged About 33 Years R/o 130, Ward No. 54, Yadav Chowk, Near Verma Electricals Ruabaandha, Civic Centre, Bhilai, Durg 490008 (Chhattisgarh),
3. Smt. Geeta Chandrakar W/o Suresh Kumar Chandrakar, Aged About 46 Years House No. 276, Ward No. 09, Chadkhuri, Durg 491221 (Chhattisgarh),
4. Ku. Chandni Sahu D/o. Narayandas Sahu, Aged About 31 Years R/o. Sikola Basti, Durg 491001 (Chhattisgarh)
5. Ku. Pameshwari Gangveer D/o. Prabhu Ram Gangveer, Aged About 29 Years R/o Nandi Chowk, Didabhatha, Ranitarai, Didga, Durg 491223 (Chhattisgarh),
6. Ku. Chandrakali Nishad D/o. Johan Lal Nishad, Aged About 30 Years R/o Nagpura, Durg 491001 (Chhattisgarh),
7. Ku. Renuka Yadav D/o. Teekaram Yadav, Aged About 29 Years R/o House No. 301, Ward No. 15, Karanja, Bhilai, Durg 490024 (Chhattisgarh),
8. Ku. Rajwindar Kour D/o. Jitender Singh Karir Aged About 27 Years R/o Behind Gurudwara, Khursipaar, Bhilai, Durg 490011 (Chhattisgarh),
9. Ku. Jeeteshwari Thakur D/o. Arjun Singh, Aged About 27 Years R/o. Azad Chowk, Didabhatha, Ranitarai, Didga, Durg 491223 (Chhattisgarh).
10. Smt. Kiran Sahu W/o Suresh Kumar Sahu, Aged About 30 Years R/o Ward No. 3, Jamul Cement Works, Laxmi Para, Durg 490024 (Chhattisgarh),
11. Ku. Deepti Thakur D/o. Manilal Thakur, Aged About 26 Years R/o House No. 118, Ward No. 09, Pisgaon, Konari, Durg 491001 (Chhattisgarh),

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Under Secretary To Governor, Raj Bhawan, Raipur Chhattisgarh.
2. The Secretary, Department Of Health And Family Welfare, Mantralay, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur (Chhattisgarh)
3. The Director, Directorate Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh

4. The Chief Medical And Health Officer, District Durg Chhattisgarh,

5. The Collector, District Durg Chhattisgarh.

---- Respondents

For Petitioner	:	Mrs. Shital Soni, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

08.10.2021

1. The present writ petition has been filed aggrieved by the recruitment process initiated for filling up of various posts on contractual basis in the District hospital Durg. The recruitment process is by way of walk-in interview.
2. The grievance of the petitioners is that they were initially appointed on 15.09.2020 temporarily as ANM (for Sampling Work) to meet the emergence situation that arose because of the Covid-19 pandemic. Down the line, when the situation improved, the services of the petitioners have been discontinued vide order Annexure P/3 dated 28.05.2021. The order of discontinuance has not been questioned or challenged by the petitioners. Now the respondents have issued a fresh advertisement for going in for fresh appointment on contractual basis to various staffs required at the district hospital Durg.
3. The only claim of the petitioners to challenge the new recruitment process is that since the petitioners had already been appointed, the respondents could have continued the services of the petitioners instead of going in for a fresh recruitment because the services of the petitioners were not discontinued on account of any unsatisfactory performance or any act of misconduct. Thus, the petitioners tried to canvass the fact that the petitioners should not have been substituted by another set of similarly placed persons.
4. However, perusal of the order of appointment of the petitioners i.e. Anneuxre

P/2 dated 15.09.2020, it clearly reflects that the appointment of the petitioners, was for a temporary period and for emergency work as a result of the Covid-19 pandemic. The services have since been discontinued. Now the respondents have gone in for a fresh recruitment for various posts wherein the petitioners are also free to participate for the recruitment process, if at all if they are interested for the same, as such the petitioners would not be put to any loss.

5. Needless to Mention that in the process the petitioners can apprise the respondent-authorities in-respect of the past services that they have rendered, which the authorities may consider while deciding the merit of the candidates who shall apply for recruitment to the post as advertised in the advertisement.
6. With the aforesaid observations, this Court at this juncture does not find any strong case calling for an interference with the advertisement as of now. The petitioners also if they are eligible and meet the requirement under the advertisement, may participate for the same.
7. The present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge