

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5293 of 2020

1. Rahul Kumar Tiwari S/o Shri Dinesh Kumar Tiwari, Aged About 23 Years R/o River View Colony, Koni, Tahsil And District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Skill Development, Science And Technology And Employment And Training, Mahanadi Bhawan, Mantralaya, Nawa Raipur Atal Nagar (Chhattisgarh).
2. The Director, Directorate Of Employment And Training, Indrawati Bhawan, First Floor Block No. 4, Nawa Raipur, Atal Nagar (Chhattisgarh).
3. The Joint Director (Training), I.T.I.S, Regional Office, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. The Principal/ Nodal Officer, Industrial Training Institutes, Koni, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. The Principal, Industrial Training Institute, Balod (Mahuda), District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---Respondents

For Petitioner	:	Shri Pankaj Singh, Advocate.
For State	:	Shri Amit Buxy, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.01.2021

1. The claim of the petitioner in the present writ petition is for an appointment to the post of Guest Lecturer at ITI Balod (Mahuda), District Janjgir Champa.
2. The contention of the petitioner is that the advertisement was for filling up of two posts of Guest Lecturers and the two selected candidates did not join the duties and the name of the petitioner stood at waiting list No.4. It is further contended that the first two candidates in the waiting list when offered, one joined and the person at waiting list No.2 though joined but did not assume his duties and as such vacancy continued. The candidate at waiting list No.3 also did not join the duties as he has got an appointment in a different ITI from the same recruitment and therefore the

claim has to be given to the petitioner as he is next meritorious candidate in the waiting list.

3. Learned counsel for the respondents State points out that the appointment were made for a particular period and the academic session also is over and as of now the petitioner may not have any substantive right.
4. Be that as it may, considering the fact that all those persons appointed on other posts through the same recruitment being continued in service, the petitioner, in addition to the representation that he has made to the authorities, may make a fresh representation to the respondent No.3, who in turn may consider the claim of the petitioner in accordance with rules and regulations governing the field and take an appropriate decision at the earliest preferably within a period of 60 days from the date of receipt of copy of this order. It is made clear that this court has not expressed any opinion on the merits so far as entitlement of the petitioner is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder