

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 345 of 2021**

Ravi Navrange S/o Shri Lalit Navrange Aged About 28 Years Resident Of
House No 12 Vidya Nagar Ward No 02 District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Mantralaya New Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. Director Directorate Of Chhattisgarh Public Instruction, Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
3. Municipal Corporation Bilaspur Through Its Commissioner Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Hamida Siddiqui, Dy. AG
For respondent no.3	:	Mr. Pankaj Agrawal, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/02/2021**

1. The challenge in the present writ petition is to the Annexure P-1 whereby respondent no.3 has declared the petitioner ineligible for selection to the post of Sub Engineer(Civil) only on the ground that petitioner does not have live registration at the concerned employment exchange.
2. So far as requirement of registration with an employment exchange being made mandatory, the said issue has already been dealt with

by the Full Bench of High Court of Chhattisgarh in the case of **State of Chhattisgarh & Anr. Vs. Roshni Sahu, W.A. 411/2014** & other analogues writ petitions and the said judgment of the Full Bench still holds good and this High Court also subsequently following the full bench judgement, have in various judgments held that non registration in particular exchange would not be a disqualification from being considered for employment keeping in view the judgments which have been laid down by the Supreme Court in the case of **Union Of India & Others Vs. Pritilata Nanda, (2010) 11 SCC 674**.

3. Given the aforesaid legal position as it stands, this Court prima facie is of the opinion that holding of the petitioner disqualified only on the ground of the non registration at an employment exchange does not seem to be proper, legal and justified. However, since the objections have been called vide Annexure P-1 and to which the petitioner has already submitted his objections and respondent no.3 has forwarded the objections to respondent no.1. It is directed that respondent no.1 shall take appropriate decision on the said proposal forwarded by respondent no.3 at the earliest preferably within a period of 45 days taking into consideration the aforesaid observations that this Court had made and also keeping in view the judicial pronouncements on the subject.
4. Respondent no.3 is directed to pursue the matter with respondent no.1 and get an appropriate decision within the time frame given by this Court. Meanwhile, respondent no.3 should ensure that one

post of Sub Engineer(Civil) for 45 days is not filled up pending the claim of the petitioner.

5. As regards, discrepancies so far as marksheet which the petitioner has submitted of Higher Secondary with that which is reflected with the online portal, the said fact would be a matter which would be verified by the respondents and for which appointment of the petitioner should not be held back. The petitioner can be granted appointment subject to the outcome of the said enquiry or verification which respondent no.3 may carry out if required.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit