

**(2018) 09 CHH CK 0170**

**Chhattisgarh High Court**

**Case No:** Writ Petition S. NO. 5929 Of 2018

Mohammad Riyazul Ameen

Memon

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

**Date of Decision:** Sept. 11, 2018

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** Devershi Thakur, R.K. Gupta, Kishore Bhaduri, Animesh Tiwari

**Final Decision:** Dismissed

### **Judgement**

P. Sam Koshy, J

1. Challenge in the present writ petition is to the alleged action on the part of the respondents in returning the application form which the petitioner had sent by courier for filling up of the post of Assistant Law Officer under the respondents.

2. Contention of the learned counsel for the petitioner is that the petitioner had sent his application by courier and the same was duly received by the respondents and thereafter they have returned it back without any endorsement. He has relied upon the seal of the respondents upon which the whitener has been applied, as is evident from the original envelope enclosed along with the writ petition, Annexure P-4.

3. Without entering into that area of dispute as to whether it has been properly received by the respondents or not, this Court is of the opinion that the petitioner has not applied in accordance with the terms and conditions of the advertisement. Clause 4 of the said advertisement clearly stipulates that

the petitioner was supposed to move an application by registered post or by speed post. There was no other third option made available. In the absence of availing the said option if the petitioner has taken the risk of sending an application by the third mode which has been rejected, the same cannot be said to be in any manner bad in law.

4. The writ petition thus being devoid of merits the same deserves to be and is accordingly dismissed.