

(2018) 07 CHH CK 0352

Chhattisgarh High Court

Case No: Writ Petition (S) No. 924 Of 2014

Yogesh Kumar Dubey
And Ors

APPELLANT

Vs

State Of Chhattisgarh
And Ors

RESPONDENT

Date of Decision: July 30, 2018

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: H.B. Agrawal, Itu Rani Mukharjee, R.K. Gupta, Dr. N.K. Shukla, Vikram Sharma

Final Decision: Dismissed

Judgement

Sharad Kumar Gupta, J

1. By this order I.A. No. 6 for staying the effect and operation of notice for counsellings and verification of documents dated 3-7- 2018 Annexure- A

is being disposed of.

2. Petitioners who were the peon, preferred this writ petition to quash the order Annexure P-1 and direct the respondents to regularise them.

3. Counsel for the petitioners vehemently argued that High Power Committee had recommended their names for regularisation, Annexure P-1 has

been passed violating the order of coordinate bench of this Court Annexure P-10, the respondent No. 3 to 5 are trying to fill up the vacancies in which

they were posted. Thus, process of Annexure A may be stayed.

4. Counsel for the respondents No. 3 to 5 argued that petitioners are not eligible for regularisation, subsequent committee has passed the order,

Annexure A relates to the recruitment of field assistant and accountant for which qualification have been prescribed, petitioners did not participate in the recruitment process, they did not possess the minimum qualification. Thus, I.A. no. 6 may be rejected.

5. From perusal of the record it is clear that the advertisement was floated on 6-12-2016. The examination had been conducted on 12-2-2017.

Petitioners filed this interim application belatedly. Moreover the recruitment process is going on for the selection of the field assistant and accountant,

not for peon. Therefore, there is no prima facie case in favour of petitioners, hence I.A. No. 6 is rejected.

6. From the order sheet dated 2-9-2016, it is clear that application for urgent hearing has been rejected by this Court on the ground that no ground has

been made out for hearing this petition out of turn.

7. List the matter for final hearing in due course.