

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 1363 of 2023

Khushbu Devangan **Versus** Principal Judge, Family Court

13.03.2023	<p>Mr. T. K. Jha, Advocate for the Petitioner.</p> <p>Ms. Sunita Jain, G. A. for the State.</p> <p>Learned counsel for the petitioner would submit that the appointing authority and the chairman of the Committee cannot be one and the same and also there has been no vacancy categorised for SC /ST candidate. There is a clear violation of reservation rules and also against of principle of natural justice, therefore, the whole selection process is bad in law.</p> <p>When this Court put a specific query whether the petitioner has submitted a form under the category of Schedule Castes, Schedule Tribe & OBC or not. The learned counsel for the petitioner would submit that the petitioner has not submitted any application claiming herself to be OBC candidate and she has fill up the form as general category. When the petitioner has not submitted the form claiming herself as OBC or Schedule Caste category therefore, she has no <i>locus standi</i> to uninstall the whole selection process.</p> <p>Considering this aspect of the matter, the interim order passed by the Court on 16.02.2023 is modified to the extent that the recruitment proceedings including appointment shall reach to it's final logical end but appointment of the candidate made through this selection process will be subject to the final out come of this writ petition. The respondents are directed to proceed further with the selection process.</p> <p>Post this matter on 18th of April, 2023 in motion hearing stage for final hearing.</p>

It is also directed that the family Court Judge, Durg will file whole record/s of the proceedings related to the selection process along-with its return.

Certified copy, today itself.

Sd/-

(Narendra Kumar Vyas)
Judge

Amita