



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 2778 of 2021Ved Prakash Singh Thakur and another **Versus** State Of Chhattisgarh and others

09.07.2021	Mr. P. Acharya, Counsel for the petitioners. Mr. Ashish Tiwari, G.A. for the State. Mr. Anand Mohan Tiwari, Counsel for the respondents No. 2 & 3. Heard Learned counsel for the petitioners submits that the examination for Provincial Civil Services for Class I and Class II posts were held by the Chhattisgarh Public Service Commission and the results were declared on 14.03.2021. The few of the participants, who were not satisfied with the process of examination and the selection, resorted to go on strike at a place notified as Raipur Budhatalab and peaceful demonstration was being made. He submits that both the petitioners herein had challenged the result in WPS No. 2636/2021 and WPS No. 2632/2021, as such, by arm twisting method the notice Annexure P/1 has been issued on 03.06.2021 wherein the petitioners have been served with a notice that they have flouted the Clause 14 of Chhattisgarh State Services Examination



Rules 2008. He further submits that even the demonstration was not at the behest of the petitioners and the petitioners were nowhere connected, but because of the fact that they have challenged the result of Civil Services Examination, the said notice has been issued which would result to debar them in further taking part in the examination. It is stated that the demonstration even if, is done, it is a fundamental right. Therefore with the preconceived notion, Annexure P/1 dated 03.06.2021 has been issued wherein the respondent has already determined to pass the order.

Learned counsel for the C.G. Public Service Commission - respondents No. 2 & 3 prays for seven days' time and submits that only representation has been asked for.

Be that as it may. *Prima facie* it appears that the petitioners had challenged the result of examination wherein the respondents have filed the reply. The documents shows that the demonstration started after due permission was granted on the specified earmarked placed at Raipur and not at the office of the PSC. Therefore, *prima facie* it appears that for the reason the petitioners are litigating with PSC over the result of the Civil Services posts, the instant notice has been issued.

Under these circumstances, the demonstration, if any, otherwise cannot be stopped if it is within the permissible limit, under the law. Taking into the fact and totality of the case and the



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background of litigation, it is directed that no further action shall be taken against the petitioner pursuant to the letter dated 03.06.2021 (Annexure P/1) till the next date of hearing.

List the matter after six weeks.

Sd/-

(Goutam Bhaduri)

Judge

Vishakha