



2024:CGHC:5156



CGHC010247132016



2026:CGHC:39327

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3865 of 2016

1 - Seema Bai W/o Vijay Kashyap, Aged About 30 Years Block No. 27, Quarter No. 2 E, Rishali Sector, Bhilai District Durg Chhattisgarh P I N 490006., Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Family And Health Welfare Department, Mahanadi Bhawan, New Raipur Chhattisgarh., Chhattisgarh

2 - The Secretary, Chhattisgarh Professional Examination Board, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

3 - The Controller, Food And Drug Administration Chhattisgarh, Indrawati Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh

4 - The Chairman, Chhattisgarh State Commission For Scheduled Caste, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

5 - Yamini Kohli, D/o Shri Harprasad Kohli, Aged About 29 Years Flat No. B/ 402, Vijaya Apartment, Ahinsha Khand-2, Indrapura, District Gaziabad, Uttar Pradesh , P I N 201014., District : Ghaziabad, Uttar Pradesh

6 - Uma Gohiya, D/o Shri Goverdhan Singh Gohiya, Aged About 28 Years Qr. No. 05/ P H E Colony, One Tree Hills, Village And Post Bairagarh, District Bhopal, Madhya Pradesh , P I N 462030., District : Bhopal, Madhya Pradesh

7 - Kusum Singh D/o Shri Jagdish Singh, Aged About 29 Years House No. 258, Sector -12, Vijay Nagar, District Gaziabad, Uttar Pradesh , P I N 201009., District : Ghaziabad, Uttar Pradesh



8 - Kiran Singh D/o Kartik Ram Singh, Aged About 35 Years House No. 9/554,
Nagar Nigam Colony, Near Maharana Pratap Chowk, Bilaspur Chhattisgarh, P I N
495001., District : Bilaspur, Chhattisgarh

9 - Akanksha Meshram D/o Shri Ramesh Kumar Meshram Aged About 34 Years R/o
C/o Shri Rakesh Sahu, Bazar Para, Sahu Mohalla Sakri, District Bilaspur (C.G.) (As
Per Honble Court Order Dated 18-06-2025)

... Respondent(s)

For Petitioner/s	:	Shri Harshal Chouhan, Advocate.
For Respondent/State	:	Shri Keshav Gupta, G.A.
For Respondent No.2	:	Ms. Akanksha Singh, Advocate holding the brief of Shri Avinash Singh, Advocate.
For Respondent No.4	:	Ms. Purnima Singh, Advocate.
For Respondent No.9	:	Shri Mateen Siddiqui, Senior Advocate alongwith Ms. Apoorva Pandey, Advocate.

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

07/09/2026

1. The petitioner has filed this petition seeking the following reliefs:

“10.1 That, this Hon'ble Court be pleased to declare that the selection of the respondents No.5, 6 and 7 are unfair, illegal and unconstitutional (Annexure P-2) and their selection may kindly be cancelled.

10.2 That, this Hon'ble Court be pleased to issue writ in the nature of certiorari/mandamus to the respondents No.1 to 4 to issue appointment order for the post of Drug Inspector to the petitioner in the place of the respondents 5, 6 and 7.

10.3 That, any other relief, which this Hon'ble court may deem fit and proper in the facts and the circumstances of the case may also kindly be granted in the interest of justice.”

2. Learned counsel for the petitioner would argue that the petitioner and the private respondents participated in the recruitment process for



appointment to the post of Drug Inspector. He would submit that the petitioner and the private respondents were selected against the posts reserved for the Scheduled Caste (Women) category. It is contended that respondents No.5 to 7 do not belong to the Scheduled Caste category, as they are residents of other States, and therefore, appointment orders have not been issued in their favour till date. He would contend that, looking to the facts of the case, an interim order was passed on 19.8.2016, whereby the respondents were directed to keep one post of Drug Inspector in the Scheduled Caste (Women) category vacant. He would submit that the State authorities could not take further steps to consider the name of the petitioner for appointment against the said post on account of the pendency of this petition. He would pray for an appropriate direction.

3. Shri Mateen Siddiqui, learned Senior Advocate, would endorse the submissions made by learned counsel for the petitioner. He would contend that the name of respondent No.9 appears at Sr. No.29 in the merit list and that her claim may be considered by the respondent authorities, as posts are still lying vacant.
4. Shri Keshav Gupta, learned counsel appearing for the State, would submit that respondents No.5 to 7 have not been offered appointment, as they do not belong to the State of Chhattisgarh and, therefore, were not found eligible for appointment. He would submit that the claim of the petitioner could not be considered on account of the pendency of this petition.



5. Ms. Akanksha Singh, learned counsel appearing for respondent No.2, would submit that the examination was conducted by respondent No.2 and the result thereof was declared.
6. Ms. Purnima Singh, learned counsel appearing for respondent No.4, would support the contention advanced by learned counsel appearing for the State.
7. I have heard learned counsel for the parties and perused the documents available on record.
8. An interim order was passed in favour of the petitioner, whereby a direction was issued to keep one post of Drug Inspector in the Scheduled Caste (Women) category vacant. It is a case where respondents No.5 to 7, who are residents of other States, have been extended the benefit of reservation, though they have not been found entitled to such benefit. Respondents No.5 to 7 secured positions in the merit list, but, after receipt of complaints, appointment orders have not yet been issued in their favour. The note-sheet of the State authorities, which has been placed on record by the State itself, indicates that a decision with regard to filling up the vacant posts has not been taken on account of the pendency of this petition.
9. Having considered the facts and circumstances discussed above, the respondent authorities are directed to fill up the vacant posts within a period of 120 days, strictly in accordance with law.
10. With the aforesaid observation(s), this writ petition is **disposed of**.

Sd/-
(Rakesh Mohan Pandey)
Judge