



2026:CGHC:10155

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 10537 of 2025

- Yogendra Kumar Patel S/o Sevak Ram Patel, Aged About 37 Years R/o Village And Post Lacchanpur, Block Palari, District Balodabazar Bhatapara (C.G.)

... Petitioner

versus

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur (C.G.)
2. Principal Chief Conservator Of Forest, Aranya Bhawan, Sector-19, North Block, Nava Raipur Atal Nagar, District Raipur (C.G.)
3. Chief Conservator Of Forest, Raipur Circle, District Raipur (C.G.)
4. Divisional Forest Officer, Balodabazar, Forest Division Balodabazar, District Balodabazar Bhatapara (C.G.)

... Respondents

For Petitioner	: Mr. C.Jayant K. Rao, Advocate
For Respondent-State	: Mr. Khulesh Sahu, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26/02/2026

1. Petitioner has filed this writ petition seeking following reliefs.

“10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to conduct the walking test of the petitioner for the post of Driver LMV and further to consider the petitioner for the post of Driver LMV.

10.2 That, this Hon'ble Court may kindly be pleased to grant any other relief as it may deem fit and appropriate.”

2. Learned counsel for petitioner submits that petitioner pursuant to the advertisement dated 18.05.2023, had submitted an application for his appointment on the post of Driver-Light Motor Vehicle (LMV) as also for the



post of Driver-Heavy Motor Vehicle (HMTV). Selection on the said post is governed by the instructions issued by the department dated 26.07.2023. Petitioner was called for practical examination for both the posts i.e., Driver (LMV) and Driver (HMTV) on 09.04.2025. After completion of practical examination, petitioner has been placed at serial number 1 in the merit list. According to the instructions, petitioner was called for Walk Test on 16.06.2025 on the application of driver (HMTV). The Walk Test of Driver (HMTV) and Driver (LMV) was conducted on same day. Petitioner could not get a opportunity in the Walk Test for Driver (LMV). It is also submission of learned counsel for petitioner that petitioner could not able to complete the Walk Test within the prescribed time as provided under the instruction for Driver (HMTV) As petitioner has applied for both the tests i.e., for Driver (LMV) and Driver (HMTV) and therefore petitioner should have been given two opportunities for Walk Test, one for LMV and another for HMTV and therefore respondents be directed to take Walk Test of petitioner for Driver (LMV) and thereafter to pass appropriate orders for appointment on the post of Driver (LMV).

3. Learned State counsel opposes the submission of learned counsel for petitioner and would submit that for filling up the posts for appointment of Driver (LMV) and Driver (HMTV), the procedure/ guidelines have been formulated by the Additional Principle Chief Conservator of Forest (Administration Non-Gazetted), Chhattisgarh, Raipur, which is also approved by the State Government. According to the procedure and guidelines, the aspirants have to give practical examination test with regard to test of driver and knowledge of vehicle machinaries and thereafter the aspirants have to undergo physical efficiency test (Walk Test), in which the candidate/ aspirant has to complete 15 KMS of walk test within a period of 02 Hours for male candidates and for female candidates the Walk Test is of 8 KMS to be completed in 02 Hours. Walk Test of candidates applying for the post of



Driver (LMV) and Driver (HMT) was mandatory and is to be completed within the stipulated time provided in the directives as also in the advertisement. Petitioner participated in the Walk Test on the date fixed, as pleaded in the writ petition and failed to complete the Walk Test of 15 KMS within the time frame. The Walk Test for both the tests ie., Driver (HMT) and Driver (LMV) was held on same day. According to the guidelines and the procedure as approved and mentioned in the instruction issued by the State Government dated 26.07.2023 there is specific mention that a candidate will be given one opportunity for Walk Test. As the petitioner has participated in the Walk Test and failed to complete within specified time, petitioner will not be entitled for the second chance for the Walk Test. Petition is devoid of merits and it be dismissed.

4. I have heard learned counsel for the parties and perused the documents enclosed along with writ petition.
5. It is not in dispute that the petitioner pursuant to the advertisement issued by the respondents had submitted application for appointment on the post of Driver (HMT) as also for the post of Driver (LMV). It is also not in dispute that apart from practical test/ examination the candidate applied for Driver (HMT) or Driver (LMV) has to undergo physical efficiency test/ Walk Test. For both the tests, the distance of walk and the time to complete the particular distance by way of walk is the same, ie., 15 KMS within 02 Hours. It is also not in dispute that the Walk Test for both the tests, ie., Driver (LMV) and Driver (HMT) was held on one and the same day which is also admitted by petitioner in the pleadings made in the writ petition.
6. Grievance raised in this writ petition by petitioner is that as petitioner has submitted application for two posts ie., Driver (LMV) and Driver (HMT), therefore, petitioner would have been given opportunity for Walk Test twice. Accepting the said submission of learned counsel for petitioner would



amount to give second chance to the candidate in one test ie., Walk Test which in the opinion of this Court is not permissible.

7. In the case at hand, Walk Test is conducted on same day for both the tests ie., for Driver (LMV) and Driver (HMTV). As the parameter fixed for Walk Test of a candidate participating in either Driver (HMTV) or Driver (LMV) are one and the same and therefore it will not be open for the petitioner to submit that only because he had submitted two applications forms, he is entitled for Walk Test twice. According to the submission of learned counsel for the respondents-State that according to the guidelines and the procedure formulated by the respondents-Department as also approved by the State Government only one chance is to be given to the candidates for Walk Test. It is also forming part of the advertisement under Clause 8 of Appendix-3, which reads as under:

“वाहन चालक पद हेतु शैक्षणिक अर्हता, वेतनमान तथा शारीरिक अर्हताएँ, नियम एवं शर्तों का विवरण:-

8. पैदल चालन परीक्षा प्रावीण्य सूची के उम्मीदवारों को पैदल चालन परीक्षा देनी होगी। पुरुष उम्मीदवारों को 02 घंटे में 15 कि. मी. तथा महिला उम्मीदवारों को 02 घंटे में 08 कि. मी. की दूरी पूर्ण करने होगी। इस परीक्षा के लिये कोई अंक नहीं होंगे समस्त उम्मीदवारों को पैदल चालन निर्धारित समय में पूरा करना अनिवार्य होगा। पैदल चालन परीक्षा हेतु केवल एक अवसर दिया जायगा।”

8. In view of specific clause in the advertisement, giving another chance to petitioner will cause prejudice to other candidates participated in the recruitment process for appointment on the post of Driver (LMV) when there is throat cut competition between applicants/ candidates participating in the recruitment proceeding for appointment of particular post.



9. The pleadings made by the petitioner in the rejoinder that the petitioner has been shown to be absent in Walk Test of Driver (LMV) may be for the reason that when petitioner participated in the Walk Test, he himself has not disclosed that he is a candidate applied for two posts ie., Driver (HNV) and Driver (LMV). Had the petitioner brought to the notice to the officials present at the time of Walk Test they could have entered the Walk Test and time taken by petitioner to complete 15 KMS in the list of candidates for Driver (LMV) also.
10. For the foregoing discussion, I do not find any good ground to grant relief as prayed for by the petitioner in the facts and circumstances of the case. Accordingly, writ petition is **dismissed**.

Sd/-

(Parth Prateem Sahu)

JUDGE

pwn