

(2018) 01 CHH CK 0116
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 195 Of 2018

Ashwani Kumar Sinha

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 09-01-2018

Acts Referred:

Commissions for Protection Of Child Rights Act, 2005 — Section 17

Citation : (2018) 01 CHH CK 0116

Hon'ble Judges : Sanjay K. Agrawal, J

Bench : Single Bench

Advocate : Parag Kotecha, B. Gopa Kumar, Shashank Thakur, Raj Kumar Gupta

Final Decision : Dismissed

Judgement

Sanjay K. Agrawal, J

1. Heard.

2. In accordance with the provisions of Section 17 of the Commissions for Protection of Child Rights Act, 2005, the State Government constituted a

selection committee for appointment of Chairman and Members of the said Commission. The petitioner applied for the post of Chairman as well as for

Member. The meeting of the selection committee was convened on 21-11-2017 in which certain recommendations have been made for the post of

Chairman as well as members of the Commission, but name of the petitioner has not been included. He made objection to the State Government and

thereafter has filed this writ petition.

3. Mr. Parag Kotecha, learned counsel for the petitioner, would submit that the petitioner is more meritorious than the private respondents and they

are not experienced persons therefore inclusion of the names of the private

respondents No.4 to 10 is bad and unsustainable in law.

4. Mr. Shashank Thakur, learned State counsel, would submit that the selection committee has only recommended the names to the State Government

for consideration and the State Government by order dated 21-11-2017 has invited objections to which the petitioner has responded and already made

objection which is under consideration, as such, the petition is premature, as the matter is pending consideration before the State Government.

5. The fact remains that names of private respondents No.4 to 10 have only been recommended for Chairman/Members of the said Commission by

the selection committee, no final decision has been taken by the State Government and final decision is yet to be taken by the Government. The

petitioner had already raised objection.

Even the State Government, in all fairness, by its letter dated 21-11- 2017 invited objections to which the petitioner has responded. At this stage, it is

premature to decide the objections of the petitioner in this writ petition. Therefore, the petition as framed and filed is premature and it is accordingly

dismissed, in limine. However, the petitioner is at liberty to press his objections already made to the State Government. No order as to cost(s).