
(2013) 08 MP CK 0245

In the Madhya Pradesh High Court

Case No : Writ Petition No. 19897 of 2012

Atmaram Dhurve and Others

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 02-08-2013

Acts Referred:

Citation : (2013) 08 MP CK 0245

Hon'ble Judges : R.S. Jha, J

Bench : Single Bench

Advocate : R.N. Dwivedi, for the Appellant; Piyush Jain, Learned P.L. for the State, for the Respondent

Final Decision : Disposed Off

Judgement

R.S. Jha, J.—Heard the on the question of admission. The petitioners have filed this petition being aggrieved by the fact that the petitioners, who have rendered 7-8 years of service as Swam Sevi Shikshak in the Awasiya Brij Course conducted under the Rajya Shiksha Mission, have been ignored while making further appointments to the said post in the year 2013 although they are qualified for the said post.

2. It is submitted that the petitioners had not been given marks for experience while the same marks have been given to others and they have been selected and posted on the aforesaid post. It is also stated that though the petitioners' names appear in the final select list, they have not been appointed though posts are vacant.

3. The respondents have filed a return and stated that initial engagement of the petitioners was for a period of nine months and thereafter new appointments were required to be made for which advertisement was issued and while making new selections there was no requirement to give due weightage to the petitioners in accordance with the guidelines. It is submitted that the petitioners are free to participate in selection process and in case they are selected, they

would be appointed in accordance with law.

4. Having heard the learned counsel for the parties and after a perusal of the record, it is observed that the respondent/authorities while making appointments have not given any weightage to the petitioners for their qualifications though marks of experience were given to them. The question as to whether or not the petitioners are entitled to the same is to be looked into by the authorities concerned.

5. In the circumstances as the grievance of the petitioners deserves to be examined by the respondent/authorities, the petition filed by the petitioners is disposed of with a direction to the effect that in case the petitioners approach the respondents No. 2 and 3 by filing a fresh representation alongwith a copy of the order passed today and a copy of the petition within fifteen days of obtaining the same, the same shall be considered and decided by the authorities concerned in accordance with law expeditiously. Preferably within a period of three months thereafter.

6. It is made clear that this Court has not expressed any opinion on the entitlement of the petitioner and, therefore, the concerned authority while deciding the petitioners' representation would be at liberty to take into consideration all facts and facets of the case and thereafter take a decision thereon by either accepting or rejecting the same.

7. With the aforesaid observations/directions the petition filed by the petitioner stands disposed of. C.C. as per rules.