

(1)

C.F. govt

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Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) NO. 4314 / 2013

Petitioners

:

1. Manoj Koashal S/o Akturam Koashal,
Aged about 36 years, R/o Village -
Kumarkata, P.S. - Mahamaya, Tahsil -
Doandi, District - Balod-(C.G.)
2. Mannaram Sodi S/o Ranjan Singh,
Aged about 45 years R/o Village -
Panchayat Nalkasa (Kopedera), P.S. -
Mahamaya, Tahsil - Doandi, District -
Balod-(C.G.)
3. Budhram Nishad S/o Ram Chand
Nishad, Aged about 41 years, R/o
Village - Pacheda, P.S. - Doandi, Tahsil
& District - Balod-(C.G.)
4. Sajvan Kachlam S/o Phool Singh
Kachlam, Aged about 39 years, R/o
Village - Salhe, P.S. - Doandi, Tahsil &
District - Balod-(C.G.)
5. Dan Singh Khare, S/o Mahajan, Aged
about 43 years, R/o Village -
Jabudvahi, P.S. - Dallirajhara, Tahsil -
Doandi, District - Balod-(C.G.)



13/11/13
Presented by
17/12/13

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6. Somaru Ram Nag S/o Mukund Ram,
Aged about 46 years, R/o Village -
Devda, Bazarpara, P.S. - Bhanpuri,
Tahsil & District - Bastar-(C.G.)
7. Kailash Chand Prajapati S/o Gajru
Ram, Aged about 34 years, R/o Gram -
Batralli, P.S. - Keshkal, Tahsil -
Keshkal, District - Bastar-(C.G.)
8. Milku Ram Baghel S/o Khatkudi
Baghel, Aged about 31 years, R/o
Village - Badekrushnath, P.S. -
Mardapal, Tahsil & District -
Kondagaon-(C.G.)
9. Goutam Kumar Nishad S/o Sevak Ram
Nishad, Aged about 33 years, R/o
Village Piparakali - Beda, P.S. -
Farasgaon, Tahsil - Keshkal, District -
Kondagaon-(C.G.)



Versus

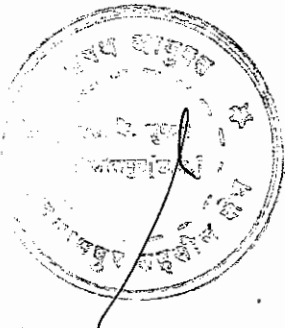
Respondents

: 1.

State of Chhattisgarh
Through - Secretary, Department of
Health & Family Welfare, Mahanadi
Bhawan, New Raipur, Village Rakhi,
Distt. Raipur-(C.G.)

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2. Chief Medical Officer,
Office of District Malariya Officer,
Jagdalpur, District - Bastar-(C.G.)
3. Chief Medical Officer,
Office of District Malariya Officer,
Durg, District - Durg-(C.G.)
4. The Joint Director
Health & Family Welfare, Jagdalpur
Division, District - Bastar-(C.G.)
5. The Joint Director
Health & Family Welfare, Durg
Division, District - Durg-(C.G.)



WRIT PETITION U/A 226 OF THE CONSTITUTION OF INDIA



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HIGH COURT OF CHHATTISGARH : BILASPUR

WRIT PETITION (S) NO.4314 OF 2013

PETITIONERS

Manoj Koashal and others.

Versus

RESPONDENTS

State of Chhattisgarh & others.

Shri Basant Kaiwartya, counsel for the petitioner.

Shri Avinash K. Mishra, Panel Lawyer for the State, on advance copy.

SINGLE BENCH : HON'BLE SHRI PRASHANT KUMAR MISHRA, J.

ORAL ORDER
(20/12/2013)

Petitioners have preferred this writ petition seeking direction to the respondents to consider their representation for their reappointment on any suitable post on the ground that the petitioners have worked as Maleriya Swaichchhik Sampark Karyakarta from July, 1999 to August 2003, however, their services were discontinued on the ground that the National Maleriya Eradication Scheme has been closed.

2. From the argument raised by learned counsel for the petitioners and the documents annexed it would appear that petitioners worked as Link Workers on contract basis under the above stated Scheme, however, after the said project funded by World Bank came to an end they have been discontinued.

3. In the matter of *Principal, Mehar Chand Polytechnic and another Vs. Anu Lamba and Others*¹ it is settled law that any contract appointee or adhoc appointee engaged in connection with a scheme can be removed on closure of scheme and in such event the appointee has no right to continue because his appointment is co-terminus with the scheme.

4. In view of the settle legal position, no case for interference in this writ petition is made out.

5. Accordingly, the writ petition is dismissed, however, dismissal of the petition shall not come in the way of the respondents, if they desire to re-employ the petitioners in any other project/Scheme under the Government policy.

Sd/-
Prashant Kumar Mishra
Judge

¹ (2006) 7 SCC 161