



CGHC010207272026

2026:CGHC:37420

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4447 of 2026

Nand Kumar Prajapati S/o Late Rohitash Aged About 46 Years Post Constable (410) Posted At Police Station Sitapur District Sarguja,- R/o Village Bataikela, Police Station Kasable, District Jashpur Chhattisgarh.

... Petitioner

versus

- 1 - State of Chhattisgarh Secretary Department of Home Mahanadi Bhawan New Raipur District Raipur C.G.
- 2 - Director General of Police Chhattisgarh District Raipur Chhattisgarh.
- 3 - Inspector General of Police Surguja Range Place -Ambikapur District Chhattisgarh.
- 4 - Superintendent of Police Surguja Place Ambikapur District Surguja Chhattisgarh
- 5 - Silaschand Ekka Aged About 56 Years Through Superintendent of Police Surguja -Head Constable No. 176, Posted At Police Station Ajak District Surguja Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Ravi Bhagat, Advocate
For State/Respondent	:	Mr. Suyashdhar Badgaiya, GA

(Hon’ble Shri Justice Bibhu Datta Guru)

Order on Board

20/08/2026

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1. By the present petition, the petitioner has prayed for following reliefs:-

“10.1 This Hon’ble Court may kindly be pleased to direct the respondent authorities to produce entire records pertaining to instant matter.

10.2 This Hon’ble Court may kindly be pleased to Issue an appropriate writ, order or direction, preferably in the nature of Certiorari, quashing and setting aside the rejection order dated 06/05/2026 (Annexure P/1) and also the seniority list of eligible candidates (Head Constable) dated 23/04/2026 issued by the respondents for promotion from the post of 'Head Constable to Assistant Sub Inspector (A.S.I)' in Range Surguja, to the extent it places the petitioner at Sl. No. 90;

10.3 This Hon'ble Court may kindly be pleased to Issue an appropriate writ, order or direction, preferably in the nature of Mandamus, directing the respondents to re-fix the seniority of the petitioner in accordance with his date of initial Promotion i.e. 10/08/2013 and placing him at sl. No. 77, above his juniors, namely Silashchand Ekka HC 176 i.e. respondent no. 5 (who have been promoted later vide 14/08/2013;

10.4 This Hon'ble Court may kindly be pleased to Further direct the respondents to consider the case of the petitioner for promotion to the post of A.S.I. strictly in accordance with his rightful seniority position;

10.5 That, any other relief, which this Hon'ble Court may deem fit and proper together with cost of the petition.”

2. At the outset, learned counsel for the parties submit that the issue involved in the present petition has already been considered and decided by this Court in an identical matter i.e. **WPS No.4339/2026 (Tareshwar Nath Keshri Vs. State of C.G. & Ors) & other connected matters**, decided on **11/08/2026**. They further submitted that since the facts and issue involved in the present case is identical to that of **WPS No.4339/2026**, this writ petition may also be disposed of in the same terms.
3. Having considered the submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this petition is identical to **WPS No.4339/2026**, this Court deems it appropriate to dispose of the instant petition in similar terms of the order dated 11/08/2026 passed in **WPS No.4339/2026**. In the said decision, this Court observed thus:-

“16. In view of the above, this Court holds that the seniority/gradation list and the consequential fit list cannot be sustained to the extent they have been prepared by ignoring the statutory consequence flowing from Rule 16A in respect of employees transferred on their own request. Accordingly, the seniority/gradation list and the consequential fit list, which has been prepared after 13.2.2026, is set aside.

17. The respondents are directed to undertake a fresh exercise of determination of seniority in accordance with Rule 16A and thereafter redraw the seniority/gradation

list and the consequential fit list in the letter and spirit of Rule 16A of the Rules, 2007 and thereafter undertake the consequential exercise for promotion.

18. It is clarified that the aforesaid direction does not amount to a direction for automatic promotion of any petitioner. The claim of each eligible employee shall be considered on the basis of the corrected seniority eligibility, suitability and other conditions prescribed under the relevant rules and regulations”

4. Accordingly, the present writ petition is **disposed of** in terms of the order dated **11/08/2026** passed in ***WPS No.4339/2026 (Tareshwar Nath Keshri Vs. State of C.G. & Ors) & other connected matters.***

SD/-
(Bibhu Datta Guru)
JUDGE

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