

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No.2071 of 2012

Ashwani Sharma, Son of Ramanuj Sharma, aged about 55 yrs,
Occupation Revenue Inspector, R/o Shikshak Nagar, Tahsil and District
Durg (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through The Secretary, Dister Management and Revenue Department, DKS Bhawan, Mantralaya, DKS Bhawan, Mantralaya, Raipur (C.G.)
2. The Commissioner/Director, Land Revenue, Chhattisgarh, Raipur, Near Rang Mandir, Kalibadi Chowk, Raipur (C.G.)

---- Respondents

And

W.P.(S) No.2072 of 2012

Gajpati Nayak Son of Bodlal Nayak, aged about 54 years, Occupation
Revenue Inspector, R/o HIG.B.-03, Housing Board Complex, Infront of
New Bus Stand, Durg, Tahsil and District Durg (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through The Secretary, Dister Management and Revenue Department, DKS Bhawan, Mantralaya, DKS Bhawan, Mantralaya, Raipur (C.G.)
2. The Commissioner/Director, Land Revenue, Chhattisgarh, Raipur, Near Rang Mandir, Kalibadi Chowk, Raipur (C.G.)

---- Respondents

For Petitioners	Mr. R.S. Patel, Advocate
For Respondent/State	Mr. Bhaskar Pyasi, Panel Lawyer

Order On Board By

S.B.: Hon'ble Mr. Justice Prashant Kumar Mishra

08/07/2015

Heard.

2. The petitioners are working as Revenue Inspectors. They have preferred these writ petitions seeking direction to the respondents to convene meeting of DPC for considering their case for promotion to the post of Naib Tehsildar.

3. According to learned counsel for the petitioners, despite the fact that the petitioners are fully eligible for promotion to the post of Naib Tehsildar, the respondents are not convening the meeting of DPC, which is violative of Rule 6(4) of the Chhattisgarh Public Service (Promotion) Rules, 2003. He would further submit that despite there being availability of posts, the respondents are not convening DPC, which is illegal and arbitrary.

4. In the entire writ petitions, the petitioners have not stated as to what number of sanctioned posts are available in the subject cadre, out of which, what number of posts are to be filled up by promotion and further as to what number of posts belonging to the promotion cadre are lying vacant. In the absence of sufficient particulars, this Court cannot issue a mandamus in vacuum.

5. In view of the above, the writ petition is disposed of with a direction that if the posts are vacant and the State Government feels that there is need for filling up the posts falling in the promotion quota, the DPC may be held in accordance with law and in such DPC, the petitioners may be considered in accordance with law depending upon their suitability, eligibility and zone of consideration.

Sd/-

Judge

(Prashant Kumar Mishra)]