

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2152 of 2015

Narendra Kumar S/o Shri Satana Ram Aged About 52 years, presently working on the Post Of Upper Division Teacher Govt. Middle School Rehara P.S. & Tahsil Shankargarh District Balrampur Ramanujganj, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Schedule Caste And Schedule Tribe Development Mahanadi Bhawan, New Raipur District Raipur, Chhattisgarh
2. The Commissioner Department Of Schedule Caste And Schedule Tribe Development Indrawati Bhawan New Raipur , District Raipur Chhattisgarh
3. The Assistant Commissioner Tribal Development Balrampur District Balrampur Ramanujganj Chhattisgarh
4. Nathur Singh Koram Upper Division Teacher Posted At Middle School Chhirkhut Block - Korba District Korba, Chhattisgarh

---- Respondents

For Petitioner	Shri A. N. Pandey, Advocate
For Respondent/State	Shri Y.S. Thakur, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/06/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner has preferred this writ petition seeking promotion on the post of Lecturer (Political Science) on the ground that many Upper Division Teachers (hereinafter for short referred to as 'the UDT'), one such UDT being the respondent No.4, who are junior to the petitioner, have been promoted on the

post of Lecturer vide order dated 02.12.2014 and 30.03.2015, however, the petitioner's case has not been considered. He would submit that the petitioner has not earned any adverse remark nor any departmental enquiry is pending against him, therefore, non consideration of his case for promotion is wholly unjustified. He would further submit that for the present, the petitioner may be permitted to make a representation before the respondent No.2 and the said authority be directed to decide the representation at the earliest.

3. Learned State counsel would submit that the promotions have been made on the basis of recommendations of the Departmental Promotion Committee (hereinafter for short referred to as 'the DPC'), therefore, if the petitioner is found qualified and eligible for promotion and any person junior to him has been promoted, it may require holding of a review DPC.
4. Be that as it may, considering the gradation list and the promotion orders, it appears, the case of the petitioner is not frivolous, therefore, I deem it expedient to direct the respondent authorities to consider the petitioner's representation.
5. Accordingly, the writ petition is disposed of with a direction that in the event, the petitioner prefers a detailed representation raising his grievance in the matter within a period of one month from today before the respondent No.2, the said respondent shall consider and decide the representation on its own merits, in accordance with law, by a speaking order. In the event, the petitioner is found wrongly superseded, the respondents shall take steps to convene the review DPC in the matter. Let the entire exercise be completed within 4 months from the date of submission of the representation.

Sd/-

(PRASHANT KUMAR MISHRA)

JUDGE