

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(S) No. 2365 of 2015

- Kamta Prasad Dewangan S/o Manaram Dewangan Aged About 53 years, Working as Head Master, Govt. Middle School, Kamta, Block Simga, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh S/o Through Secretary, Education Department, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh.
- Director, Public Instructions, Raipur, Chhattisgarh.
- Deputy Director, Public Instructions, Raipur, Chhattisgarh.
- District Education Officer, Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Petitioner

Mr. C.J.K. Rao, Advocate

For Respondent/State

Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/07/2015

1. The petitioner is working as Upper Division Teacher, he is aggrieved by his supersession in the matter of promotion to the post of Lecturer (Sanskrit).
2. According to learned counsel for the petitioner, number of juniors have been promoted and despite representation being filed by the petitioner,

his grievance has not been paid heed to. He would submit that the petitioner has not earned any adverse remark, nor any enquiry is pending against him, therefore, non-consideration of his case for promotion is arbitrary.

3. Learned counsel would further submit that for the present, the petitioner may be permitted to make fresh representation and the respondents be directed to decide the same at the earliest, so that the petitioner is aware as to the reason for denial of promotion.
4. Learned State counsel would submit that if fresh representation is filed, the same shall be considered and decided, in accordance with law.
5. In view of the foregoing, the writ petition is disposed of with a direction that in the event, the petitioner submits a fresh representation within a period of one month from today, the competent authority shall consider and decide the same by a speaking order, in accordance with law, on its own merits, within a further period of three months.
6. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

(Prashant Kumar Mishra)]

JUDGE