

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3308 of 2015**

- Laynulal Chaturvedi S/o Late Shri Mohar Das Chaturvedi, Aged 54 Years
Post Rajaswa Up- Nirikchhak, Nagar Palik, Jamul Bhilai, District Durg,
Chhattisgarh P.S. Jamul

---- Petitioner**Versus**

1. The State Government of Chhattisgarh, Nagariya Prashashan & Vikash,
Mantralaya, Mahanadi Bhavan, Raipur, P. S. Rakhi, New Raipur,
Chhattisgarh
2. Mukhya Nagar Palika Adhikari, Nagar Palika Parisar, Jamul, P. S. Jamul,
District Durg, Chhattisgarh
3. Shri Durgesh Gupta, Rajshava Up- Nirikchhak, Nagar Palika Parisad, Jamul,
P. S. Jamul, District Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri UR Koshaley, Advocate
For Respondents-State	:	Shri YS Thakur, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****11/09/2015**

1. Petitioner is aggrieved by his supersession in the matter of promotion on the post of Revenue Sub Inspector in the establishment of Municipal Council, Jamul, district Durg. The said promotion is governed under the Chhattisgarh Municipal Employees (Recruitment and Conditions of Service) Rules, 1968 read with the relevant provisions of the Chhattisgarh Municipalities Act, 1961 (for short 'the Act, 1961'). Section 307 of the Act, 1961 provides for an appeal against the orders passed by the President-in-council and Chief

Municipal Officer. The said appeal can be preferred before the Collector of the district.

2. In **Union of India and Others V. Major General Shri Kant Sharma and Another¹**, the Supreme Court has held that when statutory remedy is available, High Court should not entertain the petition.
3. Accordingly, the writ petition is dismissed with liberty to the petitioner to avail the alternative remedy.

Sd/-
Judge
Prashant Kumar Mishra

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¹ (2015) 6 SCC 773