

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 1488 of 2009

Rajesh Kumar Swarnakar, aged 49 years, Son of Dr. Mohanlal Swarnakar, Senior Agriculture Development Officer, Balod, District Durg, Chhattisgarh

---Petitioner

versus

1. The State of Chhattisgarh, Through the Secretary, Agriculture Department D.K.S. Bhavan, Raipur (Chhattisgarh)
2. Sub Divisional Officer (Agriculture) Balod, District Durg (Chhattisgarh)
3. Ravi Shanker, Gupta, S.D.O. Agriculture, Balod, District Durg (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri U.R. Koshaley, Advocate
For State/Respondents No.1&2	:	Shri Raj Kumar Gupta, Deputy Advocate General

Hon'ble Shri Navin Sinha, Chief Justice

Order on Board

22/2/2016

1. Heard Learned Counsel for the Petitioner and the State.
2. The fact that the Petitioner may have been granted second time-bound promotion is completely a different issue from a claim for substantive promotion. There is no denial on behalf of the Petitioner to the statement in the counter-affidavit that the Departmental Promotion Committee considered the case of the Petitioner on 14.11.2006 but did not find him fit. Even if that be correct, nonetheless the Petitioner is still required to be considered in accordance with law at the opportune time, if not already done.
3. The writ petition is disposed in the aforesaid terms.

Sd/-

**(Navin Sinha)
CHIEF JUSTICE**