

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Review Petition No. 86 of 2016**

1. State of Chhattisgarh, Through the Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. The Director General (Jail) Jail Headquarter, Chhattisgarh, Raipur, Chhattisgarh.
3. Inspector General (Jail) Jail Headquarter, Chhattisgarh, Raipur, Chhattisgarh.
4. Superintendent of Jail, Central Jail, Raipur, District Raipur, Chhattisgarh.

---- Applicants**Versus**

Shivan Ram Thakur S/o Late K.R.Thakur, Aged about 55 years, at present posted as Deputy Jailor, Central Jail, Raipur, R/o Jail Line, Raipur, District Raipur, (Chhattisgarh).

---- Respondent

For Applicants/State	:	Shri Ramakant Mishra, Deputy Advocate General.
For Respondent	:	Shri Mateen Siddique, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board**Per Deepak Gupta, Chief Justice****22/06/2016**

1. IA No. 1 of 2016 has been filed to condone delay of 54 days in filing the review petition. For the reasons mentioned in the application, delay is condoned.
2. This review petition is directed against the judgment dated 10.02.2016 whereby Writ Appeal No. 56 of 2016 filed by the writ petitioner was allowed. By the the judgment, recall of which is sought this Court held that the name of the writ petitioner was recommended by the Departmental Promotion Committee (for short 'the DPC') on 09.05.2007 and at that time there was no departmental proceedings

pending against him. This departmental proceedings were initiated only after 24.11.2007 when the writ petitioner was placed under suspension. The State cannot be allowed to delay the matter of promotion for six months and then suspend an employee and set at naught the DPC proceedings.

3. We find that there is no error of law much less error apparent on the face of record.

4. The review petition is accordingly rejected

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE