

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5614 of 2016**

- Sant Kumar Sahu S/o. Shri Garhan Lal Sahu, Aged About 31 Years Occupation Service, Posted As Assistant Teacher Panchayat (Shiksha Karmi Grade- III) At Govt. Primary School Gidhouri, Janpad Panchayat Kasdol P. S. Gidhouri, Civil & Revenue Distt. Balodabajar Bhatapara (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Panchayat And Social Welfare Department Mahanadi Bhawan Capital Complex, Naya Raipur, Distt. Raipur (Chhattisgarh)
2. The Collector, Balodabajar, Distt. Balodabajar Bhatapara (Chhattisgarh)
3. Chief Executive Officer, District Panchayat Balodabajar, Distt. Balodabajar Bhatapara (Chhattisgarh)
4. Chief Executive Officer, Janpad Panchayat Kasdol, Distt. Balodabajar Bhatapara (Chhattisgarh)

---- Respondents

For Petitioner
For State

Shri Sunil Sahu, Advocate
Shri Dheeraj Wankhede, Government Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****07.10.2016**

1. By way of the present Writ Petition the Petitioner has sought for direction to the Respondent to consider his service for upgradation with proper seniority and also consideration for the next promotional post.
2. According to the Counsel for the Petitioner the dispute in the present writ petition already stands adjudicated upon by the Division Bench of this Court in Writ Appeal No. 475/2015 vide order dated 29.10.2015. He further submits that after the order has been passed by the Division Bench other similar Writ

Petition i.e. WPS No. 4402/2016 in case of Yashwant Kumar Sahu Vs. State of Chhattigarh & Others have also been disposed off by this Court in similar terms.

3. He further submits that the present case is identical to that of WPS No. 4402/2016 and may be disposed off in similar terms.
4. Learned State Counsel after verification of the facts of the case submits that the State may be permitted to verify the credentials of the Petitioner and compare with that of the Petitioner in WPS No. 4402/2016 and subject to the same being identical, the Petitioner shall be entitled for the relief that have been granted to Petitoiners in WPS No. 4402/2016.
5. Accordingly, in the light of the submissions made by the Counsel for the parties, the present Writ Petition stands disposed of in similar terms of the order passed in WPS No. 4402/2016.
6. It is directed to the Respondent, subject to the Petitioner filing fresh representation to the Respondent within a period of four weeks from today in respect of his claim, shall consider case of the Petitioner after scrutinizing his eligibility and other credentials necessary for granting upgradation/promotion within a period of four months from the date of presentation of order of this Court.
7. It is made clear that this Court has not expressed anything on merits of the case. The entitlement and eligibility of the Petitioner for promotion shall be considered after scrutinizing the credentials of the Petitioner and finding the Petitioner to be eligible for the same.
8. With the aforesaid observation the present Writ Petition stands disposed off.

Sd/-

**(P. Sam Koshy)
JUDGE**