

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 562 of 2015

1. Dr. Smt. Veena Tripathi W/o Dr. Rajendra Prasad Tripathi, Aged About 53 Years R/o New Bus Stand, Bemetara, District Bemetara, Chhattisgarh

---- Petitioner

Versus

1. B. L. Agrawal, Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Dr. D.N. Varma, Additional Director Of Higher Education, Directorate Of Higher Education, Raipur, Chhattisgarh

---- Respondent

For Petitioner	Shri Neeraj Choubey, Advocate
For Respondents	Shri Saurabh Dangi, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/02/2016

1. In WPS No.7487 of 2007 (*Dr. Smt. Veena Tripathi v. State of Chhattisgarh & Others*) on 22-4-2015 this Court passed the following order :

8) Therefore, the present writ petition is disposed of with a direction that the petitioner shall move fresh representation before the competent authority within a period of one month from today seeking upgradation of ACR/expunction of adverse remarks, if any. The representation shall be

considered and decided within a period of 3 months from the date of submission. In the event, the adverse remarks/comments are expunged and the ACR is upgraded, the petitioner's case shall be considered in accordance with the benchmark which was applied at the time of original DPC by convening review DPC. If the petitioner satisfies the benchmark, she would be entitled for selection grade/promotion from the date persons junior to her were granted the benefit. The entire exercise may be completed within a period of 6 months from today.

2. Pursuant to the said order, the petitioner submitted a representation before the contemnor for expunction/upgradation of ACR, which has now been rejected on 2-1-2016.
3. Since there were uncommunicated adverse remarks against which the petitioner was allowed to make representation for upgradation and the same has been rejected, the only remedy lies for the petitioner is to move fresh writ petition.
4. In view of the above, no case for proceeding further in this contempt petition is made out. Accordingly, the contempt petition is disposed of with the aforesaid liberty.

Sd/-

Judge

Prashant Kumar Mishra

Gowri