

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2986 of 2016

Rajendra Kumar Choudhary S/o Late Ram Badai Choudhary, Aged
About 63 Years Retired Ranger, R/o Keshkal Hara Padhav
(Keshkal), District Kondagaon, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Forest Department,
Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur,
(Chhattisgarh)
2. Chief Conservator Of Forest, Raipur, P.S. City Kotwali, Raipur,
District Raipur, (Chhattisgarh)
3. Conservator Of Forest, Kanker Circle, Kanker, District Kanker,
(Chhattisgarh)
4. Divisional Forest Officer, North Forest Division, Kondagaon, District
Kondagaon, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. CJK Rao, Advocate
For State/Respondents	:	Mr. Gary Mukhopadhyay, Dy. G.A.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Oral order

22/09/2016

Heard.

1. This petition has been filed by the petitioner praying for direction to respondents to pay full back wages to the petitioner with effect from the date the petitioner claims to be entitled for promotion to the post of Forester, Deputy Ranger, Ranger with all arrears and consequential benefits.
2. Learned counsel for the petitioner submits that even though the petitioner has been promoted as Forester in the year 2003 and thereafter as Deputy Ranger with effect from 24.03.2005, his claim for promotion to

the post of Forester and Deputy Ranger from due date has not been considered by the respondents. Vide order dated 04.09.2008 (Annexure P/3), the petitioner's claim for grant of promotion and pay of the higher post has been also illegally rejected. It is also submitted that the petitioner was also promoted though belatedly, on the post of Ranger on 27.12.2010 and though he has been granted seniority from 06.09.2008, the monetary benefits have not been provided to the petitioner.

3. The petitioner attained the age of superannuation on 18.02.2011 before that the petitioner did not file any petition claiming promotion on the post of Forester and Deputy Ranger from the earlier date. Though he was promoted as Forester in the year 2003 and thereafter, Deputy Ranger in the year 2005, the petitioner did not file any petition before any Court of law but continued as such until he was promoted as Ranger vide order dated 27.12.2010 (Annexure P/4). Even thereafter he did not prefer any petition and finally retired. This petition has been filed by the petitioner after more than 5 years of his retirement.

4. In the petition, no explanation has been put forth except that the petitioner had been making representation. It is well settled legal position that repeated representation do not enlarge the time. Claim for promotion, seniority are required to be made within a reasonable time. The petitioner is wrecking up an old and stale issue more than 5 years of his retirement. Therefore, the petition is liable to be dismissed and is accordingly dismissed as barred by delay and laches.

Sd/-
(Manindra Mohan Shrivastava)
Judge