

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 4754 of 2016**

- Bholaram Chakradhari S/o Shri Roopram Chakradhari, Aged About 48 Years Presently Posted As Non Medical Assistant, At P.H.C. Koundhera, C.H.C. Rajim Distirct Gariyaband Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Chhattisgarh Govt. Mahandi Bhawan, Naya Raipur Raipur District Raipur Chhattisgarh
2. The Commissioner, Health Services Chhattisgarh Government Old Nurses Hostel Raipur Chhattisgarh
3. Director, Directorate Health Services, Old Nursing Hostel, Raipur Chhattisgarh, Distirct Raipur Chhattisgarh
4. Joint Director, Directorate Health Services, Old Nursing Hostel, Raipur Chhattisgarh, Distirct Raipur Chhattisgarh
5. Chief Medical And Health Officer, Officer Gariyaband Distirct Gariyaband Chhattisgarh

**---- Respondents**

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| For Petitioner | : | Mr. R.K. Dubey, Advocate                                    |
| For State      | : | Mr. Sangharsh Pandey, Dy. Govt. Advocate<br>on advance copy |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**15/09/2016**

Heard on admission.

1. The grievance ventilated through this petition is on account of non-consideration of petitioner's case for promotion on the next higher post of Block Extension Officer (B.E.E.) under the Governing Rules namely [छत्तीसगढ़ स्वास्थ्य एवं परिवार कल्याण विभाग अलिपिकीय पैरामेडिकल एवं नर्सिंग (संचालनालय स्वास्थ्य सेवायें) तृतीय श्रेणी सेवा भर्ती नियम, 2013].
2. Learned counsel for the petitioner submits that the recommendation made on 15.10.2014 by the Directorate to the Joint Director, Health Services, has been received for consideration in accordance with

the provisions of aforesaid Governing Rules which confers right for the petitioner for promotion.

3. Learned State counsel submits that the claim of the petitioner shall be decided by the competent authority in accordance with the Rules subject to availability of vacancies and subject to the consideration of the petitioner within the zone of consideration.
4. In view of the aforesaid submission, the petition is disposed off with a direction to respondent No.4 to consider the claim of the petitioner for promotion to the next higher post of Block Extension Officer (B.E.E.) subject to availability of vacancies and subject to the consideration of the petitioner within the zone of consideration as early as possible preferably within four months from the date of receipt of a copy of this order.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge

Chandra