

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2336 of 2008**

- Lakhan Lal Markande, Aged about 59 years, S/o M.L. Markande, Presently Posted As District Leprosy Officer, Durg R/o Doctor's Qr. Type F-1, In Front Of Adarsh Girls Higher Secondary School, Utai Road, Durg (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department of Health and Family Welfare, DKS Bhawan, Raipur (CG)
2. Director Health Services, Raipur (CG)
3. Chhattisgarh Public Service Commission, Through Secretary, Shankar Nagar Road, Raipur
4. Dr. Fagge Ram Kumbhkar S/o Not Known To The Petitioner Office Of the CMO, Korba (CG)
5. Dr. Pattu Lal Verma S/o Not Known To The Petitioner, Office Of The CMO, Ambikapur, Surguja (CG)

---- Respondent

For Petitioner	None
For Respondent /State	Mr. R. Tripathi, Panel Lawyer
For Respondent /PSC	Mr. Abhishek Sinha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****19/4/2017**

1. Record perused and heard learned counsel for the respective respondents.
2. The petitioner is claiming promotion on the post of District

Health Officer with retrospective effect.

3. In para 4 of the return filed by the State, it is stated that the petitioner has already retired from service w.e.f. 30.4.2011. It is also stated in para 5 of the return that the petitioner was granted promotion on the post of ENT Specialist (Class-I) on 06.01.2007, but he refused to accept the promotion. However, in the subsequent DPC, he was not found fit for promotion as per the benchmark fixed by the DPC.
4. It is, thus, apparent that the petitioner's case has already been considered by the DPC and he was not found fit for promotion, therefore, no case for interference in this petition is made out.
5. The writ petition is accordingly dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)