

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4286 of 2017

Sukhi Ram Mandavi S/o Late Mangal Ram Mandavi Aged About 48 Years
Upper Division Teacher, Govt. Middle School, Petoli, Kanker, District Kanker,
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Director, Chhattisgarh Public Instruction, Indrawati Bhawan, New Raipur.
3. Shri Radheshyam Sahu Lecturer, Working Under The Jurisdiction Of District
Education Officer, Balod, District Balod, Chhattisgarh.
4. Smt. Sunita Pandey Lecturer, Working Under The Jurisdiction Of District
Education Officer, Korba, District Korba, Chhattisgarh.
5. Smt. Nanda Chandra, Lecturer, Working Under The Jurisdiction Of District
Education Officer, Korba, District Korba, Chhattisgarh.
6. Shri Jag Ram Yadav Lecturer, Working Under The Jurisdiction Of District
Education Officer, Korba, District Korba, Chhattisgarh.
7. Shri Satyanarayan Chwdhari, Lecturer, Working Under The Jurisdiction Of
District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
8. Shri Sanjay Kumar Sen, Lecturer, Working Under The Jurisdiction Of District
Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
9. Shri Jitindra Prasad Tiwari Lecturer, Working Under The Jurisdiction Of
District Education Officer, Kanker, District Kanker, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/09/2017

Heard.

1. The promotion of respondents No. 3 to 9 stated to be junior to the petitioner

has given rise petitioner's grievance, in respect of which, the petitioner has preferred representation to the respondent/State Education Officer on 19.05.2017.

2. The case of the petitioner is that he is senior to respondents No. 3 to 9 and there are no adverse remarks against him nor any punishment has been imposed on him by the authority. He submits that the criteria for promotion is seniority-cum-fitness and therefore, the petitioner ought to have been given promotion.
3. The claim of the petitioner does not appear to be frivolous. Therefore, the respondent is under an obligation to decide petitioner's application for grant of promotion w.e.f. the date when his juniors were promoted.
4. Accordingly, respondents No.2 who is stated to be the competent authority to take decision in the matter, is directed to take decision on petitioner's representation within a period of three months from the date of receipt of copy of this order.
5. In case, it is found that the petitioner is entitled for promotion on the basis that his juniors were promoted, necessary orders may be passed granting him promotion with consequential benefits.
6. With the aforesaid observations, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E