

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4212 of 2007**

- Jitendra Kumar Sharma S/o Shri B.L. Sharma, Aged about 46 years, Occupation - Service, tech. & Sup. Gdr. - A, senior Loading Inspector In S.E.C.L. Gevra Project, District Korba, R/o Qtr. No. B/352, N.C.H. Colony, Secl, Gevra Project, District - Korba (C.G.)

---- Petitioner**Versus**

1. Coal India Limited (A Government of India Enterprise), Through Chairman-cum-Managing Director, 10, Netaji Subhash Road, Kolkata-700001.
2. South Eastern Coal Fields Ltd. Through Chairman - Cum - Managing, Director, Seepat Road, Bilaspur (C.G.)
3. Deputy General Manager (Personal) S.E.C.L. Bilaspur (C.G.)
4. General Manager, S.E.C.L. Gevra, District - Korba (C.G.)

---- Respondents

For Petitioner	:	None
For Respondents	:	Shri Vaibhav Shukla, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/04/2017**

1. Petitioner is seeking direction to the respondents to consider his case for promotion from the non-executive cadre to the executive cadre post.
2. It appears, the petitioner was appointed in the dispatch section of the SECL. Under the available promotional avenue, the highest post, to which a person born in dispatch section, can rise is up to the grade of T & S Grade A. There is no promotional avenue for such employee to the executive cadre post.

3. This Court while exercising powers under Article 226 of the Constitution of India has no jurisdiction to create a promotional avenue when there is none.
4. For the present, in the absence of any promotional avenue to the petitioner for the executive cadre post, no writ can be issued to the respondents to consider his case and the petition being bereft of any substance, it deserves to be and is hereby dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Ashu