

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1083 of 2017**

- Dr. A.K. Jha S/o Shri B. Jha, Aged About 50 Years R/o Community Health Centre, Kargi Road, Kota, District Bilaspur, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Secretary, Department Of Health, Manatralaya Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
2. Director, Health Services, Directorate Health Services, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner:	Mr. Sunil Otvani, Advocate
For State :	Mr. Adhiraj Surana, Dy. Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03.03.2017**

1. The grievance of the present Petitioner is that the Petitioner is working at the post of Assistant Surgeon since the year 1988. His service is due to be considered for the next promotional post of Surgical Specialist.
2. Learned Counsel for the Petitioner submits that since year 2006 the Respondents have not convened any DPC for the said promotional post. He further submits that the Joint Director has also recommended the case of the Petitioner about 1½ years back i.e. vide letter dated 08.12.2015 (Annexure P/4). However, no further action has been initiated by the Respondents in this regard.
3. Learned State Counsel at this juncture submits that let an appropriate direction be issued to the Respondent No.1 to

take decision on the recommendation made by the Joint Director in the case of the Petitioner for consideration of promotion to the next promotional post i.e. Surgical Specialist.

4. Accordingly the present Writ Petition stands disposed off with a direction that the Respondent No.1 shall take a decision, taking into consideration the fact that since year 2006 no DPC has been convened and there would be similarly placed other eligible candidates also in the department whose promotion are due, their cases shall also have to be considered along with the present Petitioner for promotion to the next promotional post of Surgical Specialist. Let this exercise be carried out by the Respondent No.1 within a period of 4 months from the date of receipt of certified copy of this Order presented at the behest of the present Petitioner.
5. It is made clear that in case if the Petitioner is not within the zone of consideration the Respondent No.1 may intimate the Petitioner in this regard. This Court has not expressed any opinion, so far as the eligibility of the Petitioner or regarding his suitability for the said post. The Respondent No.1 shall take a decision strictly in accordance with the Rules.
6. With the aforesaid observation the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE