

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.2741 of 2017**

- Anil Kumar Sinha S/o Late Shiv Kumar Prasad Sinha R/o Old Post Office Raod, Darripara, Ambikapur, District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District-Raipur, Chhattisgarh
2. Engineer- In- Chief, Water Resources Department, Sihava Bhawan, Civil Line, Raipur, District Raipur, Chhattisgarh
3. Chief Engineer, Hasdev Ganga Kachhar, Water Resources Department, Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice P. Sam Koshy**Order On Board****30/06/2017**

Heard.

2. The present writ petition has been filed by the petitioner with a prayer for limited direction to respondent No.1 to convene Departmental Promotion Committee (In short "DPC") for filling-up the post of Assistant Engineer (E & M) from the feeder cadre of Draughtsman (E & M) under the respondents.
3. Grievance of the petitioner is that the petitioner had been promoted on the post of Draughtsman (E&M) from the feeder cadre of Assistant Draughtsman in the year 2004. Subsequently, after holding the experience of 12 years on the

post of Assistant Draughtsman, the petitioner has become eligible for being promoted to the post of Assistant Engineer (E&M). It is contended by learned counsel for the petitioner that as per the promotion rules applicable in the State of Chhattisgarh, the respondents/State is required to convene DPC only in respect of filling-up of vacancies in the department. It is also contention of the petitioner that in so far as claim of the petitioner is concerned, the respondents had convened DPC in the year 2015, but subsequently the proceedings of DPC were dropped. He further submits that again in the year 2017, though proceedings with regard to screening of eligible candidates for promotion, have been initiated as also ACRs and other required documents of the eligible candidates were submitted, but till date, the respondents have not convened DPC and therefore, rightful claim of the petitioner for grant of promotion is being denied. He therefore prayed that the present writ petition may be disposed off with a direction to respondent No.1 to take necessary steps to hold DPC for filling-up the post of Assistant Engineer (E& M) from the feeder cadre of Draughtsman (E&M).

4. On the other hand, learned State counsel drew the attention of this Court to memo dated 06-02-2017 (Annexure P/4), whereby the formalities for holding DPC have been initiated. Learned State counsel also submits that the present writ petition may be disposed off with a direction to the respondents to hold DPC for filling-up the post of Assistant Engineer (E&M) from the list of eligible candidates.

5. In view of the aforestated factual matrix of the case, this Court is of the opinion that the interest of justice would be met, if the present writ petition is finally disposed off with a direction to respondents No.1 & 2 to take appropriate steps for holding DPC to fill-up the post of the post of Assistant Engineer (E& M)

from the feeder cadre of Draughtsman (E&M) at the earliest. This Court while disposing off the present writ petition relied upon the judgment of this Court in the case of ***Sujan Singh Kanwar & Others vs. State of Chhattisgarh and another***¹, wherein similar relief sought for by the petitioner therein, was granted by this Court.

6. In view of foregoing as also relying upon the aforesaid judgment of this Court, the present writ petition stands finally disposed off.

SD/-
(P. Sam Koshy)
Judge

Tumane

1 2010 (2) CGLJ 323