

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4301 of 2017**

Chandrabhas Uike S/o Shri Radhelal Uike Aged About 54 Years Presently
Posted As Junior Accounts Officer, O/o Assistant Commissioner, Tribal Welfare
Department, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Schedule Caste And Scheduled Tribe Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Commissioner, Schedule Caste And Scheduled Tribe Development Department, Indrawati Bhawan, Naya Raipur, Chhattisgarh.
3. Assistant Commissioner, Schedule Caste And Scheduled Tribe Development Department, Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Amrito Das, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****07/09/2017**

Heard.

1. The petitioner has filed this petition aggrieved on account of non-consideration of petitioner's case for promotion to the next higher post of Office Superintendent though vacancies are available.
2. It is submitted that the Junior Accounts Officers are entitled under the Rules of Chhattisgarh Public Service (Promotion) Rules, 2003 (for short 'the Rules of 2003') for consideration for promotion to the next higher post of Office

Superintendent. There are as many as 11 vacancies of Office Superintendent are available for being filled up by way of promotion and the petitioner enjoys a very high position in the seniority list and is, therefore, within the zone of consideration.

3. Where the vacancies are available and the eligible officers are also available, the Rules of 2003 obliges the competent authority to hold DPC every year. It is informed that in the year 2017, no DPC has been convened for considering eligible Junior Accounts Officers for promotion to the next higher post of Office Superintendent. Therefore, in these circumstances, direction is required to be issued to the respondent authority to hold DPC to consider eligible candidates including the petitioner for promotion to the next higher post of Office Superintendent in accordance with the criteria statutorily prescribed under the Rules of 2003 and to fill up the vacancy of the Office Superintendent. As the Rules obliges holding DPC every year, the respondent authority shall hold DPC on or before 31st December, 2017.
4. With the aforesaid direction, the petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge