

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.4257 of 2016

Dharam Lal Yadav, S/o Shri Pyare Lal Yadav, aged about 58 years, working as Lecturer at Lal Bahadur Shastri Higher Secondary School, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Urban Administration, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (C.G.)
 2. Commissioner, Municipal Corporation, Bilaspur, District Bilaspur (C.G.)
 3. Ranjana Shukla, Principal, Devkinandan H.S. School, Bilaspur (C.G.)
- Respondents

For Petitioner:	Mr. Ajay Shrivastava, Advocate.
For Respondent No.1:	Mr. Gary Mukhopadhyay, Deputy Govt. Advocate.
For Respondent No.2:	Mr. Akhilesh Kumar, Advocate.
For Respondent No.3:	Mr. Ravi Kumar Bhagat, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/02/2017

1. This writ petition has been filed by the petitioner stating that he is entitled to the promoted post of Principal under the provisions of the Chhattisgarh Municipal Corporation Act, 1956, but respondent No.3 has been reappointed till 30-4-2017, therefore, he was not considered for promotion on the promotional post.
2. Learned counsel for the petitioner contends that there is no provision of reappointment on the post of Principal in the Chhattisgarh Municipal Corporation Act, 1956 and the rules made thereunder.
3. Learned counsel for respondent No.2 would submit that it is only a

stopgap arrangement to meet the requirement up to 30th April, 2017 and the petitioner's case for promotion shall be considered expeditiously keeping in view that the post of Principal had already fallen vacant on 30-6-2016 on the superannuation of Smt. Ranjana Shukla.

4. In view of the above, respondent No.2 would do well to consider the case of the petitioner for promotion on the post of Principal expeditiously keeping in view that the post of Principal had already fallen vacant on 30-6-2016 on the superannuation of Smt. Ranjana Shukla, preferably within a period of three months from today, as the petitioner's case could not be considered on account of reappointment of respondent No.3.
5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge