

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.875 of 2017

- Satyendra Dewangan S/o Late S. L. Dewangan, Aged About 33 Years Presently Working - Workshop Attended, R/o Ashok Vihar, Quarter No. A. V. 62, Science College Road Chatidih, Bilaspur, P.S. Sarkanda, Tahsil And District Bilaspur, (Chhattisgarh)

---- Petitioner

Versus

- State Of Chhattisgarh Through Secretary, Department Of Technical Education Mantralaya, Capital Complex, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
- Commissioner Cum Directorate Of Technical Education, Employment And Training Indrawati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
- Joint Director (Training), Department Of Industrial Training, Indrawati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri A. K. Yadav, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/07/2017

Heard.

2. By this petition, the petitioner is seeking issuance of direction to the respondent authority to consider the case of the petitioner for grant of promotion to the next higher post of Training Officer.

3. Learned counsel for the petitioner submits that the petitioner is presently working as Workshop Attendant and having completed minimum service of five years, has become eligible for being considered for promotion to the next higher post of Training Officer. He has placed on record the State wise Gradation List. He submits that though, large number of posts of Training Officer are lying vacant, but the

departmental promotion committee is not being convened. The relevant rules applicable for grant of promotion in the department have been placed on record as Annexure P/1, known as Chhattisgarh Industrial Training (None Gazetted) Class III Service Recruitment Rules, 2014 (In Short “the Rules of 2014”). Rule 13 of the Rules of 2014 obliges the respondents to hold departmental promotion committee, which should normally be convened within a period of one year and promotions are required to be made in accordance with the provisions of Chhattisgarh Public Service (Promotion) Rules, 2003. If the posts are lying vacant and the eligible officers are available for being considered, the rule obliges the respondent authority to hold departmental promotion committee and fill-up that posts instead of keeping the same vacant.

4. In the present petition, it has been averred that large number of posts are lying vacant, but actually how many posts are lying vacant, have not been disclosed. Learned counsel for the petitioner draws attention of this Court to Annexure P/6 indicating that 371 posts are lying vacant as on 01-04-2016.

5. In these circumstances, this petition is disposed off at this stage, with a direction to the respondents to verify the vacant posts of Training Officer and consider the petitioner and other eligible officers for grant of promotion to the next higher post i.e. Training Officer in accordance with the applicable Rules. Taking into consideration the nature of exercise required to be undertaken, at this stage, no specific time limit is being fixed, but it is expected that the process of promotion shall be completed within a period of four months from the date of receipt of a copy of this order.

SD/-
(**Manindra Mohan Shrivastava**)
Judge