

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 879 OF 2017

1. Smt. Nisha Funke, W/o Shri Amit Funke, A/o 31 years, posted as Area Assistant at Head Office, Chhattisgarh State Marketing Federation, Raipur (C.G.)
2. Rituraj Dewangan, S/o Late Shri Pawan Lal Dewangan, A/o 33 years, posted as Area Assistant at Chhattisgarh State Marketing Federation, Mahasamund (C.G.)
3. Pankaj Kumar Namdev, S/o Late Shri Santosh Kumar Namdev, A/o 28 years, posted as Area Assistant at District Marketing Federation, Korba (C.G.)

... Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Department of Cooperative Societies, Mantralaya Mahanadi Bhawn, New Raipur, District Raipur (C.G.)
2. Managing Director, Chhattisgarh State Marketing Federation-880, Civil Lines, Head Office, Raipur, District Raipur (C.G.)
3. Secretary, Chhattisgarh State Marketing Federation-880, Civil Lines, Head Office, Raipur, District Raipur (C.G.)
4. Registrar, Cooperative Societies, Vivekanand Complex, Vivekanand Nagar, Pensionbada, Raipur, District Raipur (C.G.)
5. Chairperson & Board of Directors, Chhattisgarh State Marketing Federation-880, Civil Lines, Head Office, Raipur, District Raipur (C.G.)

... Respondents

For Petitioner	:	Mr. V.R. Tiwari, Advocate.
For Respondent No.1	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.
For Respondents No. 2 to 5	:	Mr. Prafull Bharat and Mr. Harshal Chouhan, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/02/2017

1. The present writ petition has been filed seeking for a direction to the Respondents for considering the case of the Petitioners for grant of promotion to the post of Accountant.
2. According to the Counsel for the Petitioners, the respondent-federation in the past had taken decision for filling up the post of Accountant, 25% from the existing employees who have completed 5 years of service in the department, by way of departmental examination.

3. Counsel for the Petitioners submits that the Petitioners meanwhile have also been discharging the duties of Accountant as on date for quite some time and they have all eligibilities and qualifications for the said reliref. He further submits that they have already moved representation in this regard which is pending consideration. He also submits that he has received instructions from his clients that the matter of the Petitioners has also been ordered to be placed before the Board of Federation and of which there is a decision awaiting.

4. At this juncture, without entering into the merits of the case, this Court intends to dispose of the present petition, with a direction to Respondent No.2 to take a decision in respect of the Petitioners' claim and apprise the Petitioners in this regard within a period of three months from today.

5. It is made clear that this Court has not expressed any opinion on the merits of the case so far as entitlement of the Petitioners is concerned. The Respondents are free to take a decision purely in accordance with the rules governing the field.

6. The present writ petition stands finally disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
Judge