

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 984 of 2017**

- Tek Ram Sahu S/o Late Jagdish Prasad Sahu, Aged About 50 Years Occupation Service, Presently Working As Peon, In The Office Of Executive Engineer, E/ M, Light Machine, Tube Well & Gate Division, Sakri, District Bilaspur (Chhattisgarh), R/o H-15, Arpa Irrigation Colony, Sector- C, Sakri, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Water Resources, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh)
2. Engineer In Chief, Water Resources Department, Sihawa Bhawan, Civil Line, Raipur, (Chhattisgarh)
3. Chief Engineer, Hasdeo Basin, Water Resources Department, Bilaspur (Chhattisgarh)
4. Superintending Engineer, Water Resources Circle, Hasdeo Basin, Bilaspur, (Chhattisgarh)
5. Executive Engineer, E/ M, Light Machine, Tube Well & Gate Division, Sakri, District Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioner
For State

Mr. Malay Shrivastava, Advocate
Mr. Adhiraj Surana, Dy. Government Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****28.02.2017**

1. The grievance of the Petitioner is that he is a class IV employee under the Respondents. He is Higher Secondary passed candidate and as per the rules applicable in the State Government that there is reservation of 25% for filling of the post by way of promotion in class

lii category from class IV, in the Respondent department and that he is eligible for promotion and is also senior enough.

2. According to the Petitioner his name is in the list of eligible candidates who are to be promoted. There are total 17 posts available and the name of the present Petitioner falls at serial No. 10. If the Respondents take appropriate decision the Petitioner may also get a chance of promotion. If the Respondents do not take appropriate decision in this regard there is all chance of the Petitioner and similarly placed person retiring from service as class IV employee itself. They are eligible and entitled to be promoted to Class III post. Therefore, a direction may be issued to the Respondents to consider the case of the Petitioner, and in case the Petitioner is found suitable, he may be granted the benefit of promotion.
3. The State Counsel at this juncture submits that from perusal of the pleading in the Petition it appears that the Petitioner has not ventilated his grievance by raising any representation before the Respondents and has straightaway filed the present Writ Petition. If the Petitioner approaches competent authorities in this regard who in turn may considering the representation and take appropriate decision.
4. At this juncture without entering into the merits of the claim of the Petitioner, this Court intends to dispose off this Petition with only a direction that the Petitioner shall make a detailed representation for redressal of his grievance to the Respondents No. 2 & 3. It is further directed that the Respondents No. 2 & 3 on receipt of the representation of the Petitioner shall take decision on it in

accordance with law within a further period of 3 months from the date of receipt of the representation.

5. It is made clear that this Court has not expressed any opinion so far as the eligibility, suitability or entitlement of the Petitioner is concerned. The Respondents shall be at liberty to decide the representation purely in accordance with the Rules governing the field.
6. With the aforesaid observation the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE