

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 1225 of 2017**

K. L. Baghel S/o late Mahadeo Bhaghel, aged about 61 years
Principal, Industrial Training Institute Bastar, District Bastar
(Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through: the Secretary, Technical Education, Manpower Employment, Science and Technology Department, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
3. Director Cum Commissioner, Employment and Training Directorate, 1st Floor, Block 04, Indrawati Bhawan, Chhattisgarh, New Raipur, District Raipur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Uttam Pandey, Advocate
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22/03/2017**

The petitioner through this writ petition has sought for a direction to the respondents to immediately consider his case for promotion from the post of Principal Class-II to the post of Principal Class-I.

2. Contention of the counsel for the petitioner is that the petitioner was promoted to the post of Principal Class-II in the year 2005 and since then for the last 12 years, the petitioner is continuously discharging his duties on the said post. In addition, he is also discharging the duty of Joint Director in the Department. Further contention of the counsel for the petitioner is that as per the rules governing the field, the respondents are required to hold a DPC annually to fill up the vacant posts but for the last more than a decade there

has been no DPC held by the respondents. He submits that as per the rules, the petitioner is entitled for being considered for promotion as Principal Class-I on completion of three years service on the post of Principal Grade-II which he had obtained in the year 2005. The petitioner is retiring from service on attaining the age of superannuation w.e.f. 30.04.2017 and as on date, in the Department, the petitioner is the senior most person eligible for the post of Principal Class-I. He submits that if the respondents hold a DPC for promotion of the petitioner to the post of Principal Class-I before his retirement, he shall be able to get the advantage of the same so far as his retiral dues and pensionary benefits are concerned.

3. Be that as it may, this Court in the given facts and circumstances of the case does not intend to keep the petition pending any further and ends of justice would meet if the petition is disposed of with a direction to the respondent no.3 to take a decision after proper approval and sanction from the competent Authorities for holding a DPC to consider the case of the petitioner for promotion if he is suitable as early as possible. The respondents are directed to complete all the proceedings as expeditiously as possible taking into consideration the fact that the petitioner is retiring w.e.f. 30.04.2017.

4. With the aforesaid observation, the present writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**