

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 759 of 2018

1. Vaman Kumar Sinha S/o Shri Ram Sagar Sinha, Aged About 28 Years
Occupation - Constable (3045) Under The S.P. , S. T. F. Head Officer, Baghera ,
District Durg Chhattisgarh., District : Durg, Chhattisgarh
2. Shivismurat Patel S/o Shri Motilal Patel Aged About 34 Years Occupation -
Constable (1078) Under The S.P. , S T F Head Office, Baghera , District Durg
Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary Home Police Affairs, Mahanadi
Bhawan New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director General Of Police, Police Head Quarter ,raipur District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh
3. The Superintendent Of Police , S T F Head Office , Baghera , District Durg
Chhattisgarh., District : Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri R.K. Kesharwani, Advocate
For State	:	Shri Majid Ali, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/01/2018

Heard.

1. By this petition, the petitioners have sought a direction to the respondents to
consider their claim for grant of out of turn promotion to the next higher post
of Head Constable on the claim of having rendered exemplary services in
terms of provision contained in Rule 56 (3) of the Special Armed Force Rules
1973 and Regulation 70 of the Police Regulations.

2. The petitioners' claim is that the petitioners had participated in an operation carried by the Armed Forces and Police Forces against nexallite. The averment made in the petition are that many other police officers who had participated in the same operation, have been granted aforesaid benefit but the petitioners have not been considered.
3. Learned counsel for the State would point out that the petitioners have filed this petition without preferring any representation. He would submit that if the petitioners prefer representation giving appropriate and relevant details of their claim, the competent authority under the Director General of Police shall examine and take appropriate decision within a reasonable time.
4. The provision contained in aforesaid two rules do make provision for consideration of cases of out of turn promotion in certain contingencies where the police officers claim to have rendered exemplary services in the manner and under the circumstances referred to in the rules. If that is the claim of the petitioners, the respondents are obliged under the law to examine the same whether the petitioners can be also granted those benefits.
5. Since the matter requires consideration at the end of the respondents upon looking into the records of the case and performance of the petitioners, I am not inclined to keep the matter pending but to dispose off with a direction to respondent No.2 to get the petitioners' claim duly examined by the authority competent under the rules and take a decision within a period of 3 months.
6. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge