NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2026 of 2018

Rupesh Kumar Bharadwaj S/o S/o Shri Radheshyam Bharadwaj Aged About 35 Years R/o Middle School Mayarda, Block Marvahi, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

2. Assistant Commissioner, Jila Panchayat Bilaspur, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

3. Chief Executive Officer, Jila Panchayat Bilaspur, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

4. Block Education Officer Marvahi (Pendra) District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Mr. S. K. Sahu, Advocate.

For State : Mr. Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

05/03/2018

1. The petitioner's grievance is that even though the petitioner was included in the provisional select list and eligible, he has been denied promotion.

It appears that the case does not involve jurisdictional order or issue of non-compliance of natural justice, therefore, in that view of the matter, the petitioner should first exhaust the Statutory remedy to representation as envisaged under Rule 18 1 (b) of Panchayat Discipline and Appeal Rules, 1999 which reads as under “18 1(b)”.

2. In case, the petitioner's representation is not decided within a period of 3 months it will be open for the petitioner to approach the appellate authority challenging the order of promotion of persons who are alleged to be junior to the petitioner, including his non promotion, under Panchayat (Appeal and Revision) Rules, 1995.

3. Accordingly, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Rohit