

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.2068 of 2008

Manish Kashyap S/o Shri S.P. Kashyap, Aged about 40 years, occupation Executive Engineer, CG Environment Conservation Board 01-Tilak Nagar, Shiv Mandir Chowk, Raipur (CG) R/o 11 Mohan Nagar, Durg (CG).

---- Petitioner

Versus

1. Union Of India through Secretary, Home Affairs, North Block, New Delhi.
2. State Of Chhattisgarh Through Department Of Environment And Urban Development, D.K.S.Bhawan, Mantralaya, Raipur C.G.
3. State Of Madhya Pradesh Through Its Secretary, Departement Of Housing And Environment, Mantralaya, Bhopal M.P
4. Chhattisgarh Environment Conservation Board Raipur (C.G) 01- Tilak Nagar, Shiv Mandir Chowk, Main Road, Avanti Vihar, Raipur C.G Through Its Secretary.
5. Madhya Pradesh Pollution Control Board Bhopal Through Its Secretary, Environment Premises, E-5, Arera Colony, Bhopal (MP).
6. R.P.Shinde, Assistant Engineer/executive Engineer, C/o. Secretary, Chhattisgarh Environment Conservation Board, 01 Tilak Nagar, Shiv Mandir Chowk, Main Road, Awanti Vihar, Raipur C.G.

---- Respondents

For petitioner	:	Shri BP Sharma, Advocate.
For respondents	:	Shri YC Sharma and Shri Sudhir Bajpai, Advocates.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

23/04/2018

1. The only grievance of the petitioner seems to be allocation of the respondent No.6 made to the State of Chhattisgarh.
2. The petitioner and the respondent No.6 were working as Assistant Engineers at the time of bifurcation in the State of Madhya Pradesh and State of Chhattisgarh. Options were sought for from the petitioner as well respondent No.6 in respect of their preference of allocation.
3. In due course of time, the tentative allocation list was published wherein the petitioner was shown to have been allocated in the State of Chhattisgarh and the respondent No.6 had been allocated to the State

of Madhya Pradesh. Subsequently, when the final allocation list was published, the respondent No.6 also stood allocated to the State of Chhattisgarh.

4. The petitioner now is aggrieved of the respondent No.6 being allocated to the State of Chhattisgarh as being senior to the petitioner, he is placed over and above the petitioner thereby jeopardizing the promotional avenues available to the petitioner. In this regard the petitioner has preferred a representation to the respondent No.1 raising various objections and contentions which till date has not been decided by the respondent authorities.
5. The petitioner prays for a limited prayer that let the respondents decide the representation of the petitioner.
6. Given the facts and circumstances of the case, the writ petition is disposed of with a direction to the respondent No.1 to consider the grievance of the petitioner and to decide his representation in accordance with guidelines governing the allocation of employees of the erstwhile State of Madhya Pradesh and State of Chhattisgarh.
7. This court has not expressed any opinion so far as merits of the case is concerned. It is expected that the respondent No.1 shall decide the representation of the petitioner as expeditiously as possible preferably within four months from the date of production of a copy of this order. The petitioner would be at liberty to challenge the outcome of the decision of the respondent No.1.
8. The writ petition is accordingly disposed of.

Sd/-

(P.Sam Koshy)
Judge