

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 736 OF 2009**

Prakash Pandey S/o Late Vishnu Prasad Pandey, aged about 59 years, Lab Technician (Toxicology Division) State Forensic Science Laboratory, Raipur R/o Near Gondwana Bhawan, Tikrapara, Raipur (CG).

...Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Home Department (Police) DKS Bhawan Raipur (CG).
2. Director, State Forensic Science Laboratory, near Pujari Park, Tikrapara Raipur (CG).
3. Public Service Commission Through its Secretary, State Of Chhattisgarh, Raipur (CG).

... Respondent(s)

For Petitioner	:	Shri Maneesh Sharma and Shri Pragalbha Sharma, Advocate.
For Respondent-State	:	Shri B Gopa Kumar, Dy. A.G.
For Respondent No.3	:	Ms. Sunita Yadav, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/04/2018

1. The petitioner seeks a direction to the respondents to consider his case for promotion to the post of Scientific Officer by holding an appropriate DPC considering his case as a departmental candidate.
2. The petitioner was also aggrieved with the recruitment process which was initiated by the respondents in the year, 2008 for filling up of 7 posts of Scientific Officer.
3. The petitioner at the time of filing of the writ petition was 59 years and today he would be somewhere around 66 years and that in the intervening period he has already crossed the age of superannuation and there is no allegation of the respondents holding a DPC in which the petitioner has been left out from being promoted

to the post of Scientific Officer. In the absence of any DPC being held during the intervening period, no substantive right has been created in favour of the petitioner for being considered for promotion to the post of Scientific Officer and the fact that in due course of time the petitioner has retired from service, this court is of the opinion that by efflux of time this petition and the grievance of the petitioner has now become infructuous.

4. Accordingly, the writ petition stands dismissed as having become infructuous.

Sd/-
(P. Sam Koshy)
Judge