

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2044 of 2018

- Prahlad Kumar Sinha S/o Shri S. N. Sinha Aged About 52 Years Working As Peon, Under The Project Administrator Integrated Tribal Development Project Ambikapur District Surguja Chhattisgarh R/o Darripara . Police Station Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Schedule Caste Scheduled Tribe Development Department Mahanadi Bhawan New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. State Of Chhattisgarh, Through The Secretary School Education Department Mahanadi Bhawan New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Director Public Instructions , (D P I) Indrawari Bhawan New Mantralaya District Raipur Chhattisgarh.
4. The Commissioner , Schedule Caste Schedule Tribe Development Department Mahanadi Bhawan New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. The Collector , Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
6. The Assistant Commissioner , Tribal Development Ambikapur District Surguja Chhattisgarh ., District : Surguja (Ambikapur), Chhattisgarh
7. The District Education Officer , Ambikapur , District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
8. Project Administrator , Integrated Tribal Development Project Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondents

For Petitioner	:	Shri Prakash Tiwari, Advocate
For Respondent/State	:	Shri S. Majid Ali, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/03/2018

Heard on admission.

1. Grievance of the petitioner is that despite there being a direction of this Court earlier in WPS No.1502 of 2012 vide order dated 13-04-2012 to consider the case of

the petitioner for grant of promotion, neither representation of the petitioner has been decided nor he has been promoted till date.

2. After going through the pleadings and the documents on record, particularly the order dated 13-04-2012 passed by this Court in WPS No.1502 of 2012, it is found that in the aforesaid petition, long back in the year 2012, an order was passed for consideration of petitioner's case for promotion, however, the petitioner would be at liberty to make representation and the same shall be considered in accordance with law as expeditiously as possible, on its own merits and perspective. Thereafter, the petitioner made representation and the matter is moving from one place to other. Vide memo dated 04-07-2015, the office of Collector, Tribal Development, Ambikapur has forwarded the case relating to promotion of Class IV employees to Class III posts, who belonged to Tribal Welfare Department. Thereafter, the petitioner has not heard anything. The said memo and the list enclosed therewith also includes the name of the petitioner also.

3. Once, there was an order passed by this Court long back in the year 2012, decision on the petitioner's claim ought to have been taken one way or the other. Therefore, in these circumstances, particularly, in view of the fact that the matter has been referred by the Collector, Tribal Development, Ambikapur to the District Education Officer, Ambikapur, it would be expedient, in the interest of justice, to direct the respondent No.7 to consider the petitioner's case for grant of promotion in accordance with law within an outer limit of three months from the date of receipt of a copy of this order and pass appropriate order in the matter.

4. Accordingly, this petition is disposed off. It is made clear that this Court has not expressed any opinion on the merits of the case.

SD/-
(**Manindra Mohan Shrivastava**)
Judge