

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3296 of 2017

Awadhesh Dandotiya S/o Shri Mahesh Dandotiya, Aged About 40 Years, Presently Working As Assistant Platoon Commander, S. T. F. H Q Baghera, District Durg, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Police Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Director General Of Police, Chhattisgarh, Police Head Quarter, Raipur, Chhattisgarh.
3. Additional Director General Of Police, C A F, Police Head Quarters, Raipur Chhattisgarh.
4. Superintendent Of Police, S T F, Head Quarters, Baghera, District Durg, Chhattisgarh.
5. Commandant, C A F, 13th Battalion, Bango, District Korba, Chhattisgarh.

---Respondents

WPS No. 3305 of 2017

Virendra Kumar Yadu S/o Late Shri Ram Khilawan Yadu, Aged About 37 Years, Presently Working As Assistant Platoon Commander, S. T. F. H Q Baghera, District Durg Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Police Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Director General Of Police, Chhattisgarh, Police Head Quarter, Raipur, Chhattisgarh.
3. Additional Director General Of Police, C A F, Police Head Quarters, Raipur Chhattisgarh.
4. Superintendent Of Police, S T F, Head Quarters, Baghera, District Durg, Chhattisgarh.
5. Commandant, C A F, 13th Battalion, Bango, District Korba, Chhattisgarh.

---Respondents

WPS No. 3316 of 2017

Lalit Kumar Yadav S/o Shri Manohar Lal Yadav, Aged About 38 Years
Presently Working As Assistant Platoon Commander, S. T. F. H Q
Baghera, District Durg Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Police Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Director General Of Police, Chhattisgarh, Police Head Quarter, Raipur, Chhattisgarh.
3. Additional Director General Of Police, C A F, Police Head Quarters, Raipur Chhattisgarh.
4. Superintendent Of Police, S T F, Head Quarters, Baghera, District Durg, Chhattisgarh.
5. Commandant, C A F, 13th Battalion, Bango, District Korba, Chhattisgarh.

---Respondents

For petitioners	:	Shri Sushil Dubey, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/10/2018

1. Since the facts and grounds raised in these bunch of Writ Petitions and the relief sought for are identical, these three Writ Petitions are being disposed off by this common order.
2. The limited prayer which the petitioners have made through the present Writ Petitions is for issuance of direction to the respondent No.2 to take a decision on the representation which each of the petitioners have made so far as grant of promotion from the post of Assistant Platoon Commander to

the post of Platoon Commander is concerned in accordance with the provision of SOP Nos. 75/2010 and 75/2017.

3. The State counsel does not have any objection so far as the decision to be taken on these representations is concerned subject to the availability of vacancy and also on the petitioners fulfilling the conditions stipulated therein.

4. Accordingly, all the Writ Petitions stands disposed off with a direction to the respondent No.2 to take a decision on the claim of the petitioner for promotion from Assistant Platoon Commander to Platoon Commander as per SOP Nos. 75/2010 and 75/2017 and let an appropriate decision be passed within 90 days from the date of receipt of certified copy of this order.

5. It shall be the responsibility of the petitioners to apprise the respondent No.2 so far as the order passed by this Court is concerned.

6. The petitioners in addition would also be entitled to file a fresh representation along with a copy of this order.

7. At this juncture, the counsel for the petitioners submits that, he may be permitted to represent before the respondent No.2 so far as the name not being reflected in the gradation list of Assistant Platoon Commander, they are permitted for doing so.

8. It is expected that the respondent No.2 shall also consider this grievance of the petitioners.

9. Needless to mention that, this Court has not expressed any opinion so far as the merits of the case is concerned or so far as the entitlement of the petitioners are concerned.

10. The respondents would decide the same purely in accordance with the provision of law.

11. All the Writ Petitions accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit