

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3498 of 2018**

Chandradip Yadav S/o Shri Maaho Ram Yadav Aged About 43 Years Assistant Teacher ( Panchayat ) At Government Primary School, Semarkhand Police Station Ramanujganj , Block And Janpad Panchayat Ramchadrapur , Civil And Revenue District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Its Secretary Panchayat And Rural Development Department Mantralaya Mahanadi Bhawan Naya Raipur , Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Executive Officer , Zila Panchayat, Balrampur Ramanujganj , District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Balrampur Ramanujganj District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
4. Block Education Officer , Block - Ramchandrapur , District Balrampur - Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

**---- Respondents**

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| For Petitioner | : | Shri Mateen Siddiqui, Advocate    |
| For State      | : | Shri Satish Gupta, Govt. Advocate |

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**S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**03/05/2018**

Heard.

1. The petitioner has filed this petition aggrieved by order dated 28.12.2016 by which petitioner's representation has been rejected in the matter of his claim for promotion.
2. Earlier the petitioner had approached this Court aggrieved by inaction, due to which, an order was passed by the Court directing the authority to consider

representation. The representation has now been considered and an order has been passed.

3. Learned counsel for the petitioner has raised various issues including that the statement regarding availability of post is factually incorrect.
4. In the absence of there being any ground of violation of principles of natural justice, absence of jurisdiction or personal malice, this Court is not inclined to interfere with the order because the petitioner has an alternative remedy of filing appeal under Panchayat (Appeal and Revision) Rules, 1995.
5. Therefore, with liberty to file appeal, the petition is dismissed.
6. Learned counsel for the petitioner raises an apprehension that after dismissal of the petition, the respondents may not entertain the claim of the petitioner.
7. The dismissal is not because the petitioner does not have merit. The petitioner may have merits in his claim but it is only for the forum that the Court is not inclined to interfere.

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