

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3490 of 2018

Sukhdev Prasad Yadav S/o Shri Phulchand Yadav Aged About 40 Years Assistant Teacher (Panchayat) At Govt. Primary School, Jarkatpara, P. S. Sanawai, 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

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

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