

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3763 of 2015

Rajendra Singh Kshatriya S/o Balu Singh Kshatriya, age 30 years, R/o HC-1079, Kanker, Out post – Damkasa, P.S.Bhanupratappur, District Kanker, Civil and Revenue District Kanker (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Department, Mantralaya, Raipur, Naya Raipur, Civil and Revenue District Raipur (C.G.).
2. The Director General of Police, Police Headquarter, Raipur, District Raipur (C.G.).
3. The Inspector General of Police, Bastar Range, Lalbagh, Jagdalpur, District Bastar (C.G.).

---Respondents

For petitioner	:	Shri Keshav Dewangan, Advocate.
For respondent No.1/State	:	Shri Manish Nigam, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/02/2018

1. The present Writ Petition has been filed seeking for out of turn promotion on the ground of the petitioner's act of bravery while working in the naxalite area, for which there was also recommendation made by the higher authorities in the department.
2. The counsel for the petitioner at this juncture submits that, a similar matter came up before this Court vide WPS No. 5911/2014 which has been allowed by this Court on 20/07/2015 and therefore the present petitioner may also in similar terms be permitted to make a representation before the

respondent No.2 for seeking similar benefits and the respondent No.2 may be directed to decide the representation of the petitioner at the earliest.

3. The State counsel however opposing the petition submits that, the petitioner meanwhile appears to have already been granted out of promotion for his act of bravery and prayed for rejecting the petition.

4. Given the aforesaid submissions made by the counsel for the either side, this Court does not intend to keep the Writ Petition pending any further and the same accordingly stands disposed off with a direction that, the petitioner shall make a detailed representation to the respondent No.2 along with all the supporting documents as also the judgment passed by this Court in WPS No.5911/2014 (B.N.Mishra v. State of Chhattisgarh & Ors. decided on 20/07/2015). The respondent No.2 in turn shall consider the case of the petitioner and on due verification if the petitioner is found suitable and eligible for grant of out of promotion in the light of the judgment passed by this Court in the case of B.N.Mishra (Supra), appropriate orders be passed at the earliest and if for any reason on verification the authorities found that the petitioner is not entitled for any relief, he should be intimated in this regard with a reasoned order at the earliest. The petitioner would have the liberty to challenge the same before the appropriate forum.

5. It is expected that the petitioner shall make a representation within a period of 15 days from today and the respondent No.2 in turn shall decide the representation of the petitioner within a further period of 60 days from the date of receipt of the representation.

6. The Writ Petition stands disposed off.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE