

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6954 of 2018**

1. Shri Raghuveer Prasad Vishwakarma S/o Late Shri N. P. Vishwakarma, Aged About 61 Years, Posted As Assistant Engineer In Water Resources Department (WRD), R/o Ganga Nagar Sector 2, Bilaspur, Chhattisgarh
2. Shri Sant Ram Dhiwar S/o Shri G. L. Dhiwar, Aged About 61 Years, Posted As Assistant Engineer In Water Resources Department (WRD), R/o Karma Nagar Khamtarai, Bilaspur, Chhattisgarh
3. Shri Radhe Shyam Chandra S/o Nirbhay Singh Chandra, Aged About 59 Years, Posted As Assistant Engineer In Water Resources Department, R/o MIG -8/9, Laxmi Niwas, Sarkanda, Bilaspur, Chhattisgarh
4. Shri Hari Shankar Sahu S/o Amarnath Sahu, Aged About 59 Years, Posted As Assistant Engineer In Water Resources Department, R/o Near Old Pump House, Arvind Nagar, Sarkanda, Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Its Secretary Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur, Chhattisgarh
2. Engineer In Chief, Water Resources Department, Sihawa Bhawan, Raipur, District - Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Dr. N. K. Shukla, Senior Advocate with Ms. Abhyunnati Singh, Advocates
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23.10.2018**

1. The grievance of the petitioners is in respect of the decision of the respondents in not initiating promotion process for the post of Executive Engineer (WRD) from the feeder post of Assistant Engineer.
2. The substantial grievance of the petitioners is that against the number of vacancies that are presently available if appropriate seniority of the petitioners is considered, they would also be in the zone of consideration. In the earlier gradation list, the name of the petitioners are reflected starting from serial no.73 onwards. Subsequently, when the fresh list was published, the names of the petitioners have not been reflected in the list at all.
3. Learned counsel for the petitioners submits that the petitioners are fully qualified and eligible for promotion to the post of Executive Engineer and if the petitioners' proper seniority is taken into consideration, there is all likelihood that the petitioners would become entitled for promotion. The contention of the counsel for the petitioner is that there are also many posts lying vacant and the respondents are also initiating promotion process for filling up the posts and if the petitioners are left out, it would be detrimental to their interest and therefore the respondents may be directed to consider the seniority of the petitioners also before initiating the promotion process.
4. From the record it appears that none of the petitioners have till date made a representation to the authorities in the Department for ventilating their grievances.

5. Given the said fact, let the petitioners make a detailed representation supported with all relevant documents in their possession to respondents 1 & 2 who in turn shall scrutinize the claim of the petitioners for seniority and also verify as to why the names of the petitioners are not reflected in the list prepared for consideration of officers in the zone of consideration for promotion to the post of Executive Engineer from the post of Assistant Engineer.
6. Let this exercise be concluded within a period of 90 days from today. It is expected that the respondents shall not complete or finalize the promotion process for filling up the post of Executive Engineer before deciding the claim of the petitioners.
7. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**