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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3341 of 2008**

Amar Nath Singh Yadav S/o late Hargun Singh Yadav, aged about 45 years, presently working as Craft Teacher, Govt. High School, Gandhi Nagar, Ambikapur, District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Ministry of Tribal Welfare & Development, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh
2. Commissioner, Tribal Welfare and Development, Raipur, Chhattisgarh
3. Assistant Commissioner, Tribal Welfare and Development, Ambikapur, District Surguja, Chhattisgarh
4. Collector, Ambikapur, District Surguja, Chhattisgarh
5. Shri G. P. Tripathi, Lecturer, Govt. Higher Secondary School, Shivprasad Nagar, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate.
For State	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****20.06.2019**

1. The challenge in the present writ petition is to the promotion granted to respondent no.5 on 09.07.1998 as a lecturer.
2. Perusal of the record would show that respondent no.5 was initially

appointed as an Assistant Teacher way back in the year 1979. The petitioner was appointed as a Craft Teacher only on 29.03.1987 i.e. after about 8 years from the date the respondent no.5 was appointed. Moreover, the record shows that respondent no.5 was granted promotion to the post of Upper Division Teacher on 15.05.1992. Even at that time, the petitioner did not challenge the promotion granted to respondent no.5 and by efflux of time and by virtue of length of service of respondent no.5 on the post of Upper Division Teacher, he was subsequently granted promotion to the post of Lecturer on 09.07.1998.

3. Given the aforesaid facts, this Court does not find any strong case made out by the petitioner for claiming seniority at par with respondent no.5.
4. At this juncture, counsel for the petitioner submits that pending the writ petition before this Court, the petitioner has now been promoted on the post of Lecturer in March, 2015.
5. Now that the petitioner has been promoted on the said post of Lecturer, the only issue left is whether the petitioner is entitled for promotion on the post of Lecturer earlier to March, 2015 or not.
6. Counsel for the petitioner submits that there are some Craft Teachers similarly placed who have been granted promotion earlier to the petitioner but for some reason the petitioner has not been granted the same.
7. Given the said submission made by the counsel for the petitioner, for want of available records and documents to establish this fact, this Court is of the opinion that the matter can be resolved if the petitioner

approaches respondents 1 & 2 by preferring a detailed representation supported with all relevant records in support of his claim within a period of 20 days from today. On receipt of such representation, respondents 1 & 2 in turn shall decide the same at the earliest preferably within a period of 4 months thereafter, in accordance with the rules and the service conditions governing the field.

8. The writ petition accordingly stands disposed of.

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