

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4040 of 2012

1. Omprakash Singhare, S/o B.L. Singhare, Aged About 44 Years, Occupation-Service, Posted As Assistant Grade-III, Govt. Higher Secondary School-Chikhali, Vikas Khand-Doundi, Distt. Balod, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh And Ors. S/o Through The Secretary Tribal Welfare Department, D.K.S. Bhawan, Raipur, Distt. Raipur, Chhattisgarh
2. The Secretary Sports And Youth Welfare, Deptt. D.K.S. Bhawan, Raipur, District : Raipur, Chhattisgarh
3. The Commissioner Tribal Welfare Development Deptt. Raipur, District : Raipur, Chhattisgarh
4. Assistant Commissioner Tribal Welfare Department Balod, District-Balod, District : Balod, Chhattisgarh

-----Respondents

For Petitioner	:	None
For State	:	Smt. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27.11.2019

1. The matter today taken up on default for non-payment of Process Fees as ordered by this Hon'ble Court on 13.07.2018.
2. Today, when the matter is called, there is no representation on behalf of the petitioner. Perusal of the relief clause for ready reference is reproduced here-in-below:

“10.1 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ by directing the respondents to consider the case

of petitioner for Promotion in the next promotional post on the basis of best player and service record as considered by the Police Department.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondents' No. 2 to 4 to consider and decide the representation as well as the applications which are under consideration since 2004."

3. From a plain reading of the relief sought for by the petitioner, it clearly reflects that the petitioner has sought for a direction to the respondent for promotion to the next promotional post declaring him to be the best player on the basis of his being the best player and considering his service record.
4. Given the limited relief the petitioner has sought for and also considering the fact that more-than 7 years have now passed since the writ petition had been filed, the Writ Petition itself can be disposed-off with a direction to the Respondent No. 2 to 4 to consider the representations which have been filed by the petitioner before the authorities concerned for grant of promotion and which according to the petitioner has not been decided by the Respondents till now, subject to verification of the entitlement of the petitioner. The Respondent No. 2 to 4 are directed to consider the representation of the petitioner and take appropriate decision on the claim for grant of promotion at the earliest, preferably within a period of three months.
5. The said action of the respondents need to be taken only in case, if the petitioner's claim/representation is not decided and is still pending consideration. If the petitioner is still aggrieved of, he would still be at liberty to challenge the same by making a fresh

representation to the authorities concerned. The State counsel is directed to forward a copy of this order to the concerned authorities.

6. The present Writ Petition, accordingly stands disposed-off.

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