

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 368 of 2019

Hukum Dewangan S/o Shri B. L. Dewangan, Aged About 41 Years, R/o Vikas Nagar, Devpuri, Behind Jamuni School, Raipur, District – Raipur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Under Secretary, Department Of Home, Mantralaya, Mahanadi Bhawan, New Raipur, District - Raipur Chhattisgarh.
2. Director General, Forensic Science Laboratory, Police Lane, Tikrapara Near Pujari Park, District – Raipur, Chhattisgarh.
3. Joint Director (SSO) Forensic Science Laboratory, Police Lane, Tikrapara, Near Pujari Park, District - Raipur Chhattisgarh.
4. Bhojram Dhritlahre, Lab Technician, Office At Joint Director (SSO) Forensic Science Laboratory, Police Lane, Tikrapara, Near Pujari Park, District – Raipur, Chhattisgarh.
5. Anil Mishra, Lab Technician, Office At Joint Director (SSO) Forensic Science Laboratory, Police Lane, Tikrapara, Near Pujari Park, District – Raipur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Ashok Patil, Advocate.
For State	:	Shri Rahul Mishra, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/01/2019.

1. The grievance of the petitioner is the non-consideration of the petitioner for promotion to the post of Lab Technician from the post of Lab Assistant Grade-III.
2. The contention of the counsel for the petitioner is that, the policy framed for the promotion has a clause that promotion would be given to only those

persons who have atleast worked for two years in scheduled area. He submits that, the respondents No. 4 & 5 have not been posted in scheduled area in their service career and yet they have been promoted to the post of Lab Technician ignoring the claim of the petitioner who otherwise has worked for 4 years in scheduled area and thus it is only the petitioner who fulfills the eligibility criteria for promotion. According to him, immediately, on the respondents promoting the respondents No.4 & 5 the petitioner had made an objection/representation against the non-consideration of the petitioner for promotion and the said representation till date has not been decided by the authorities concerned. According to the counsel for the petitioner, in spite of repeated approach being made to the respondents, they have till date not decided the same.

3. In view of the limited grievance which the petitioner has raised and also taking note of the fact that no plausible reason or justification is available for not considering the case of the petitioner. This Court thus, is of the opinion that, the Writ Petition itself can be disposed off with a direction to the respondents No.2 & 3 to take a decision on the representation filed by the petitioner intimating him as to why he is not entitled for promotion and why the respondents No. 4 & 5 have been considered ignoring the claim of the petitioner. While deciding the representation, the respondents shall consider the policy framed in this regard particularly so far as the necessity of working in scheduled area for obtaining promotion.

4. Let this exercise be done within a period of 60 days from the date of receipt of copy of this order.

5. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit