

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 567 of 2019**

Ramkumar Mandlesh S/o Late Sukhlal, Aged About 59 Years, Working As Assistant Sub Inspector, Police Line, Balod, District Balod Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Principal, Secretary Home Department, Mahanadi Bhawan, Mantralaya Atal Nagar, Naya Raipur Chhattisgarh.
2. Director General Of Police, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
3. Superintendent Of Police Balod, District Balod Chhattisgarh.

---Respondents

For petitioner	:	Mr. Tarendra Kumar Jha, A.G.
For State	:	Mr. Rahul Mishra, Dy. G.A.

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

28/01/2019.

1. The grievance of the petitioner is that the juniors of the petitioner have since been promoted from the post of ASI to SI, but the petitioner has not been considered for promotion. According to the petitioner most probably, the petitioner was not considered for promotion on account of a punishment which was imposed upon the petitioner on 31/03/17 i.e. stoppage of one annual increment without cumulative effect for a period of one year.
2. The Counsel for the petitioner submits that the rigour of the said punishment came to an end on 31/03/18. If that be so, the petitioner should have been considered for promotion thereafter.
3. Perusal of the record would show that the persons junior to the petitioner were promoted on 05/10/18 i.e. in respect of a DPC which was convened when the petitioner's punishment was in operation. It appears that now that the effect of the punishment is over, the petitioner could be considered for promotion in the subsequent DPC that would be held.

4. Given the aforesaid factual matrix, let the petitioner make a detailed representation in accordance with the service rules and take a decision as to whether the petitioner would be, at this stage, entitled for promotion to the post of SI or not.
5. Let the respondent No. 2 take a decision, subject to the petitioner making a representation within a period of two weeks from today, within a further period of 90 days from the date of receipt of the representation of the petitioner.
6. With the aforesaid observations, the writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Harneet