

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 632 of 2019**

Lal Bahadur Shah S/o Shri Gopinath Shah, Aged About 57 Years, Working As Executive Engineer (E/m) Division, At Water Resources Department, District Raigarh, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Water Resources Department Mantralaya, Mahanadi Bhavan, Atal Nagar, District Raipur, Chhattisgarh.
2. Engineer In Chief, Water Resources Department, Shihava Bhavan, Raipur, Chhattisgarh.
3. Shri B. R. Umbare, Executive Engineer (E And M), Light Machinery Tubewell And Gate Division Raipur, Water Resources Department, Raipur, Chhattisgarh.

**---Respondents**

---

|                |   |                              |
|----------------|---|------------------------------|
| For Petitioner | : | Mr. Vinod Deshmukh, Advocate |
| For State      | : | Ms. Astha Sukla. P.L.        |

---

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**31/01/2019**

1. The grievance of the petitioner in the present writ petition is the action on the part of the respondents in giving the current charge of Superintendent Engineer in the Water Resources Department of the Light Machinery Tubewell well and Gate Division Raipur, to the respondent no. 3. According to the petitioner the respondent no. 3 is a person, junior to the petitioner and there are instructions in the Department wherein it has been ordered that when the higher post in the department falls vacant, the charge of the higher post should be given to the senior most person in the department. According to the petitioner since the respondent no. 3 is junior to the petitioner, the charge could not have been given to him and a situation has

arisen where the petitioner though being senior would have to work under the instruction of the respondent no. 3 who is junior but has been given the charge of superintendent.

2. Given the aforesaid factual situation of the case let the petitioner approach the respondent no. 2 in this regard along with the detailed representation supported with all the relevant circulars of the State Government within the period of 10 days and on receipt of the said representation the respondent no. 2 in terms shall take a decision at the earliest preferably within a period of 45 days taking into consideration the circulars of the state Government in respect of grant of current charge.

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

vivek