

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3255 of 2019

C.K. Sahu (Chandra Kumar Sahu) S/o Shri Lalit Kumar Sahu Aged About 57 Years Presently Working As Sub Engineer In The Office Of The Sub Divisional Officer, P.W.D. National Highway Sub Division Champa Under Executive Engineer, P.W.D. National Highway Division Bilaspur R/o C/o Bhupatlal Dewangan Maruti Vihar Colony Behind Lions School Champa Distt Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Public Works Department, Mantralaya P.S. Rakhi, Tahsil Aarang Naya Raipur District Raipur Chhattisgarh
2. Engineer In Chief Public Works Department, Sirpur Bhawan Raipur District Raipur Chhattisgarh
3. Chief Engineer Public Works Department Raipur District Raipur Chhattisgarh
4. Executive Engineer Public Works Department Vidhansabha Division Raipur District Raipur Chhattisgarh
5. Chhattisgarh Public Service Commission Through Its Chairman, Shankar Nagar, Road Bhagat Singh Square Raipur District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Kishore Narayan, along with D.P. Chouhan, Advocate.
For State	:	Mr. Saleem Kazi, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/05/2019

1. The whole dispute of the petitioner in the present writ petition is that the petitioner who was a degree holder in the year 2008, but in the gradation list reflected as a diploma holder. The department considering him to be a diploma holder, did not consider him for promotion when the DPC was held in the year 2008 and petitioner immediately made a representation to the department. The

department realizing their mistake rectified the gradation list and brought the petitioner in the category of degree holder.

2. According to the petitioner, the persons junior to the petitioner and lower in the gradation list from among degree holders, have got promotion in the year 2008, and it was on account of an error on the part of the State Government and he could not be considered for promotion in 2008.
3. According to the petitioner, now that the State Government has rectified the gradation list and have brought the petitioner in the category of the degree holder, he should be considered for promotion at par with the similarly placed persons at least with the persons immediately lower in the rank of the gradation list from among degree holders. It appears that the petitioner has made a couple of communication for redressal of his grievance to the authorities concerned but till date no decision as such has been taken by the officers of the respondents.
4. Given the limited dispute, as has been stated by the petitioner, this Court is of the opinion that ends of justice would meet, if the writ petition is disposed of with a direction to the respondent No. 2 to ensure that the grievance of petitioner stands redressed. The petitioner is directed to file a fresh detailed representation giving the entire factual matrix of the case to the respondent No 2 within a period of 10 days from today and the respondent No. 2 in turn shall consider the representation of the petitioner objectively in accordance with the rules governing the service condition pertaining

to the petitioner and take a decision at the earliest preferably within a period of 90 days from the date of receipt of the representation to be made by the petitioner.

Sd/-
(P. Sam Koshy)
Judge

jjyoti