

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3446 of 2019

Jailal Vishwakarma S/o Shri Sudarshan Prasad Vishwakarma, Aged About 50 Years Occupation - Government Servant, Posted Peon, Primary School Kulhadi Block Ambikapur, R/o Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, Atal Nagar District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Surguja Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. The Block Education Officer Block Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
5. Amar Nath Singh Occupation Clerk, Posted At Government Girls Higher Secondary, School Lundra Block Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
6. Anup Tamrakar Occupation Clerk, Posted At Government Higher Secondary School Mangari Block Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. Shakti Raj Sinha, Advocate.
For State	:	Mr. Sunita Jain, Govt. Advocate

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

08/05/2019

1. The limited grievance which the petitioner has raised in the present writ petition is that the petitioner has all the requisite eligibility criteria for promotion from Class IV category to class III category.
2. According of the petitioner, he has with due permission from the department cleared his 12th class examination in the year 2011, and

since then he has been making request to the department for adding his qualification for 12th class in his service records but till date which has not been accepted by the department.

3. The second contention of the petitioner is that if the qualification of 12th pass is entered in his service record, the petitioner could have been considered for promotion to the class 3 cadre and that similarly placed juniors to the petitioner have already been promoted from class IV to class III cadre.
4. Given the aforesaid limited grievance that the petitioner has raised and also taking note of the contention that the petitioner had passed his 12 Board examination with the permission of the department, this Court is of the opinion that ends of justice would meet if the respondent No. 2 and 3 directed to consider the representation of the petitioner for entering his qualification of 12th pass in his service record and also for considering his claim for promotion at par with his immediate juniors i.e. respondent No. 5 & 6 who got promoted in the year 2018. Let the respondent No. 2 & 3 take necessary steps in this regard and pass an appropriate order at the earliest within a period of 4 months from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge