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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3377 of 2019

Ramesh Kumar Dubey S/o Late Fatte Lal Dubey, Aged About 62 Years, Posted As Senior Assistant, Chhattisgarh State Marketing Federation At District Office Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Co-Operative Societies, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Managing Director, Chhattisgarh State Co - Operative Marketing Federation Limited, 880, Civil Lines, Head Office Raipur, District Raipur, Chhattisgarh
3. Secretary, Chhattisgarh State Co - Operative Marketing Federation Limited, 880, Civil Lines, Head Office Raipur, District Raipur Chhattisgarh
4. Vijay Kumar Shukla, Assistant Manager, Chhattisgarh State Co - Operative Marketing Federation Limited At Head Office New Raipur, District Raipur, Chhattisgarh
5. Rajpati Pandey, Assistant Manager, Chhattisgarh State Co - Operative Marketing Federation Limited, At District Office Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Govind Dewangan, Advocate
For State	:	Mr. P. Acharya, P.L.
For Respondents 2 & 3	:	Mr. Vindo Deshmukh, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/05/2019

1. The grievance of the petitioner in the instant case is the non-consideration of the petitioner for promotion to the post of Assistant Manager from the post of Senior Assistant.

2. Counsel for the petitioner submits that juniors to the petitioner have been promoted and the petitioner has been left for being considered. He submits that the petitioner had made a representation which was rejected by the Department on the ground that the petitioner was inflicted with a minor punishment of stoppage of two annual increments vide order dated 01.04.2017 and the effect of that punishment order was in operation when the DPC was held. According to the petitioner, the order of stoppage of increment dated 01.04.2017 is already under challenge in a writ petition pending before this Court i.e. WPS No. 7190/2018.

3. In view of the fact that the order of punishment was in operation against the petitioner at that point of time, this Court does not find any strong case made out by the petitioner to hold the non-consideration of the petitioner for promotion because of the currency of the punishment to be bad in law in any manner.

4. In view of the same, the present writ petition is not maintainable and the same stands rejected reserving the right of the petitioner to put forth his claim in the event of the two writ petitions challenging the punishment are allowed.

Sd/-
(P. Sam Koshy)
JUDGE

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