

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8726 of 2019

Smt. Deepa Das W/o Shri Ravikant Das Aged About 49 Years Working As Senior Staff Nurse, Grade- A (SLP) At- Pragati Nagar Dispensary, Dipka Area, Korba, District Korba Chhattisgarh. **--- Petitioner**

Versus

1. South Eastern Coal Fields Limited through its Managing Director, H. Q. Seepat Road, P. B. No.-60, Bilaspur, District Bilaspur Chhattisgarh.
2. The General Manager (Management) South Eastern Coal Fields Limited, Dipka Area, Personnel Department Korba District Korba Chhattisgarh.
3. Deputy Chief Medical Officer Pragati Nagar Hospital, Dipka Area, Korba, District Korba Chhattisgarh.
4. Smt. Sunita Samuel Senior Staff Nurse (T & S) Grade-A South Eastern Coal Fields Ltd. H. Q. Seepat Road, P. B. No. 60 Bilaspur, District Bilaspur Chhattisgarh.
5. Smt. Kavita Khan Senior Staff Nurse (T & S) Grade- A South Eastern Coal Fields Ltd. O/o The General Manager, Sohagpur Area, District Anuppur Madhya Pradesh.
6. Smt. Sunni Ravindran Senior Staff Nurse (T And S) Grade- A South Eastern Coal Fields Ltd. O/o Regional Personnel Manager, Korba Area, District Korba Chhattisgarh. **--- Respondents**

For the Petitioner : Mr. Rajesh Kesharwani & Mr. Nalin Soni,
Advocates

For the respondents : Mr. Pankaj Agrawal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-10-2019

1. Learned counsel for the petitioner contends that according to the initial seniority list of Senior Staff Nurse I & S Grade-B published on 24.12.2012 the name of the petitioner was shown at Sl.No.26 whereas of names of respondent 4 Sunita Samuel, respondent no.5 Smt. Kavita Khan & respondent No.6 Smt. Sunni Ravindran were placed at Serial No.28, 31 & 27 respectively. It is further

submitted that even in the subsequent seniority list of promotional post of Matron, the name of the petitioner finds place above respondents 4, 5 & 6, therefore, as per the seniority lists, from the beginning, the petitioner was senior to respondents 4, 5 & 6

2. It is stated that ignoring the seniority of the petitioner, respondents 4, 5 & 6 were promoted to the next higher post of Matron though in the seniority list of Matron in T & S, Gr.A, the name of the petitioner was placed at Serial No.82 and the names of respondents 4, 5 & 6 were below the petitioner. It is contended that though the seniority of the petitioner has been accepted, yet she has not been given due promotion. Since the petitioner has not been given required pay scale and designation though her name was placed above respondents 4, 5 & 6 in the seniority list of promotional post of Matron, she may be deprived of her seniority and other consequential benefits. It is submitted that the petitioner has made a detailed representation before respondents 1 & 2 and for the present, the same may be directed to be decided.
3. Perused the seniority lists. In the initial seniority list of 2012, the petitioner was shown as senior to respondents 4, 5 & 6. Likewise, in the subsequent seniority list of Matron published on 10.12.2018, the name of the petitioner finds place at Serial No.82 whereas the names of respondents 4, 5 & 6 find place at Serial No.83, 84 & 85. Therefore, the query which remains to be answered is that if the petitioner is senior to respondents 4, 5 & 6 from the beginning as per the seniority lists issued by the department itself, why the case of the petitioner for promotion to the post of Matron has not been considered.

4. Considering the same, the petitioner shall be at liberty to make a fresh representation to respondents 1 & 2 within a period of two weeks from the date of receipt of this order and on such representation being filed, the same shall be considered and decided positively by passing a speaking order within further period of 60 days
5. This writ petition accordingly stands disposed off.

**Sd/-
GOUTAM BHADURI
JUDGE**