

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8640 of 2019

Rajkumar Bajrang, S/o. Shri Sonaram Bajrang, Aged About 49 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. Engineering In Chief, Water Resources Department, Shivnath Bhavan, Sector 19, Nava Raipur, Atal Nagar, District : Raipur, Chhattisgarh
3. Shri. Pranav Kumar Pal, Executive Engineer (E/M), Heavy Earth Moving Machineries Division Raipur, Water Resources Department, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate
For State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

18.10.2019

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 (E & M) Circle in the Water Resources Department, 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.
2. 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.

3. Given the aforesaid factual situation of the case let the petitioner approach the respondent No.1 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.1 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.
4. In view of the above, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Ashok