

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.9782 of 2019

Mr. G. V. J. Rao S/o Late Shri G.H.B. Sastry, Aged About 50 Years Presently Posted and Working as Senior Manager (Industrial Engineering), IE Dept., SECL, Central E And M Workshop, Korba- 495677, District Korba, P.S. Manikpur, Korba Chhattisgarh. **--- Petitioner**

Versus

1. Coal India Limited through its Chairman, Coal Bhawan, Premise No. 04, Mar, Plot No. - AF-III, Action Area- 1A, New town, Rajarhat, Kolkata, (W.B.), 700156., District : Kolkata, West Bengal
2. The Chairman-Cum-Managing Director, South Eastern Coalfields Limited, Seepat Road, Bilaspur- 495 006, District Bilaspur, P.S. Sarkanda, Bilaspur Chhattisgarh.
3. Smt. Tripti P. Shaw, General Manager (Personnel), Coal India Limited, Coal Bhawan, Premise No. 04, Mar, Plot No.- AF-III Action Area-1A, New-town, Rajarhat, Kolkata 700156, District : Kolkata, West Bengal
4. Shri Arun Kumar Pandey Working As Senior Manager (Industrial Engineering), IE Dept., WCL Coal Estate, Civil Lines, Nagpur (Maharashtra), District : Nagpur, Maharashtra
5. Shri Manoj Kumar Singh, Working as Senior Manager (Industrial Engineering), IE Dept., Northern Coalfields Limited, Singrauli , District : Singhrouli, Madhya Pradesh
6. Shri Vijay Kumar Sharma, Working as Senior Manager (Industrial Engineering), IE Dept., Northern Coalfields Limited, Singrauli, District : Singhrouli, Madhya Pradesh **--- Respondents**

For the Petitioner	: Mr. Vivek Kumar Agrawal, Advocate
For the Respondents	: Mr. H.B. Agrawal, Sr. Advocate with Mr. Pankaj Agrawal, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.11.2019

1. The grievance of the petitioner is that respondents 4 to 6 who were junior to the petitioner have been promoted to the post of Chief Manager (IE) in E-7 Grade vide order dated 28.09.2019, however, the case of the petitioner has been ignored.

2. Learned counsel for the petitioner submits that he is senior most Industrial Engineer having 13 years of regular service in E-6 grade, however, he could not be considered for promotion as Chief Manager (IE) in E-7 grade. He further submits that even after such promotions, 20 posts are still lying vacant therefore the case of the petitioner may be considered for promotion. It is submitted that the petitioner has made a detailed representation vide Annexure P-4, which may be directed to be considered.
3. It is always the right of an employee to be considered for promotion to a particular post irrespective of grant of promotion which will depend on different circumstances. Therefore, if the claim of the petitioner is not being considered for promotion, the same may be considered on its own merits according to the guide-lines and the circular which are prevailing in the establishment of the respondents.
4. Considering the fact that the petitioner has made a representation (Annexure P-4) which is pending consideration, it is directed that respondent no.1 shall consider and decide the same on its own merits within an outer limit of six months from the date of presentation of this order. It is observed that this Court has not expressed any opinion on the merits of the case.
5. This writ petition is accordingly disposed off.

Sd/-
(GOUTAM BHADURI)
JUDGE