

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 6722 of 2009**

- Sanjay Kumar Chandrakar S/o Late Shatruhanlal Chandrakar, aged about 43 years R/o Village And Post Chaderpuri, Tahsil And Distt.-Durg Cg

At Present Posted At Civil Court Dallirajhara, Distt.-Durg CG

---- Petitioner**Versus**

- State Of Chhattisgarh, through the Secretary, General Administration Department, DKS Bhawan, Raipur C.G.

---- Respondent**WPS No. 4091 of 2009**

- C.G. Rajya Nyayik Laghu Vetan Karmachari Sangh, through its State President Shri Narmada Prasad Vishwakarma District Court premises, Bilaspur C.G.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department of Law and Legislative Affairs DKS Bhawan, Raipur C.G.
2. High Court of Chhattisgarh Through the Registrar General Through the Registrar General High Court, Bilaspur

---- Respondents**WPS No. 6777 of 2009**

- Yogesh Kumar Valmik S/o Sunder Lal Valmik aged about 30

years R/o Mohbhatta Road, Bemetara, District Durg C.G.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department DKS Bhawan, Raipur C.G.
2. State of Chhattisgarh, through the Secretary, Department of Law and Legal Affairs, DKS Bhawan, Raipur C.G.
3. District and Sessions Judge, Durg, District Durg C.G.

---- **Respondents**

For Petitioner	:- Mr. Vinod Deshmukh, Advocate
For Respondent/C.G. High Court:-	Mr. R.S. Marhas, Advocate with Mr. Aman Tamboli, Advocate
For Respondent-State	:- Mr. Avinash Choubey, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

05/03/2020

1. In WPS No.6722/2009 and WPS No.6722/2009 petitioners have prayed for a direction to the respondents to reserve 25% of the vacant post of AG-III for appointment by way of promotion from Class-IV employee who are working in the department. They are also praying for issuance of command to consider the candidature of the petitioners for their promotion for the post of AG-III in view of Annexure P-5.
2. WPS No.4091/2009 has been preferred by the C.G. Rajya

Nyayik Laghu Vetan Karmachari Sangh seeking a declaration that the action on the part of the State Government and District Court establishment in not considering the Class-IV employee in the District Court establishment for promotion is bad in law and arbitrary and to hold further that the Class-IV employees of District Court establishment are still eligible for promotion from Class-IV to Class-III.

3. In none of the Writ Petition, the petitioners have called in question the constitutional validity of any of the recruitments rules under which the appointments are to be made and the same has suffered amendment adverse to the interest of the petitioners.
4. In view of the above, the respondents are obliged to fill up the promotional post of AG-III in different District Court establishments in accordance with the rules prevailing and having force on the subject.
5. The Writ Petitions are therefore disposed of with observation that the respondents shall proceed to fill up the posts reserved for promotion of eligible Class-IV employees in accordance with existing rules.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi