

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 414 of 2020**

- Dheeraj Kumar Arya S/o Late Shri S.R. Ajay Aged About 26 Years
Occupation- Service Working As Assistant Grade-III In The Office Of Block
Education Officer, Korba, District Korba Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Education Department,
Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur
Chhattisgarh
2. Director Directorate Of Public Education, Indravati Bhawan, Block-C, First
Floor, Chhattisgarh, New Raipur, District Raipur Chhattisgarh
3. District Education Officer Korba, District Korba Chhattisgarh
4. Block Education Officer Korba, District Korba Chhattisgarh

---- Respondents

For Petitioner	:	Shri Awadh Tripathi, Advocate
For Respondents/ State	:	Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/01/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was appointed to the post of Assistant Grade-III in Block Education Office, Korba and the next promotional post is Assistant Grade-II. It is contended that State government from time to time issued the circular i.e. on 15.12.2015 (Annexure P-1) & 31.03.2017 (Annexure P- 2) that the promotional post may be filled up by 31.03.2017 (Annexure P-4), however despite that the claim of the petitioner who is entitled for promotion to Assistant Grade-II is not being considered. It

is further contended that the confidential report of the petitioner along with other documents have already been forwarded to Block Education Officer, Korba which he is otherwise entitled. He further referred to Annexure P-4 and would submit that the correspondence has already been made by C.G. Tritiya Varg Shashkiya Karmchari Sang to carry out the promotion as in absence of such promotion, due to inaction on the part of the respondents, the respective persons are loosing back benefit up to Rs. 5,000/- to Rs. 8,000/-. He further submits that the petitioner may also be given liberty to make a representation so that his case for promotion may be considered.

3. Perused the letter dated 15.12.2015 (Annexure P-1) & 17.03.2017 (Annexure P-2) wherein the directions have been made to the respective District Education Officers to consider the promotion for the vacant posts available within a cut off date of 31.03.2017 and even otherwise the employee always has a right to be considered for promotion if the posts are vacant subject to his suitability and merits. In view of this facts, the petitioner is given liberty to make a representation apart from the representation filed by the Union (Annexure P-4) within a period of 3 weeks from today to the District Education Officer, Korba (Respondent No.3), the representation if so filed shall further be decided within a period of 90 days from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge