

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2877 of 2020**

1. Prabhakar Sonkusre S/o Late V. Sonkusre Aged About 52 Years
Resident Of Basant Nagar, Bhanupratappur, Tahsil- Bhanupratappur,
District- North Bastar Kanker, Chhattisgarh
2. Santosh Yadav S/o Late Shobharam Yadav Aged About 37 Years
Caste- Rout, Resident Of Nichipara, Bhanupratappur, District- North
Bastar Kanker, Chhattisgarh
3. Ravindra Vatti S/o Late Devendra Kumar Vatti Aged About 30 Years
Resident Of Village- Bhaismundi, Tahsil- Narharpur, District- North
Bastar Kanker, Chhattisgarh
4. Ghanshyam Jain S/o Late Dharmaram Jain Aged About 52 Years
Resident Of Villager- Kodekursi, Tahsil- Durgkondal, District- North
Bastar Kanker, Chhattisgarh
5. Parmeshwar Lal Jain S/o Late Jagnuram Jain Aged About 35 Years
Resident Of Sambalpur, Tahsil- Bhanupratappur, District- North Bastar
Kanker, Chhattisgarh
6. Smt. Bina Uike W/o Late Shri Chhattar Singh Uike Aged About 38
Years Resident Of Shankarnagar, Bhanupratappur, Tahsil-
Bhanupratappur, District- North Bastar Kanker, Chhattisgarh
7. Smt. Chandrakala Netam W/o Late Shri J.L. Netam Aged About 40
Years Resident Of Village- Bardebhatha, Tahsil- Kanker, District-
North Bastar Kanker, Chhattisgarh
8. Satyaprakash Sahu S/o Late Keshav Sahu Aged About 30 Years
Resident Of Village- Bansagar, Post- Amoda, Tahsil-Narharpur,
District- North Bastar Kanker, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mahanadi Bhawan, Atal Nagar, New Raipur,
Chhattisgarh
2. The Director Directorate Of Public Instructions, Indravati Bhawan,
New Raipur, Chhattisgarh
3. The District Education Officer District- North Bastar Kanker,
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. D.N. Prajapati, Advocate
For State	:	Mr. Vikram Sharma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21.07.2020

1. Heard
2. Learned counsel for the petitioners submits that the petitioners were appointed to the post of Peon (Class IV) on the compassionate ground in the period between 1998 and 2008. Initially the gradation list was issued on 01.04.2018 (Annexure P/3) wherein, the name of petitioners were missing though they were in the role of the State. Subsequently, a gradation list of Class IV employee was issued on 01.04.2019 wherein the name of the petitioners appeared. The petitioners, therefore claimed that since they were wrongly left out in the initial gradation list, they were deprived for consideration for the promotion, subsequently when their names appeared in the new gradation list they have filed the representation to the respondent No. 3 for consideration of their promotion from the post of Peon (Class IV) to the post of Assistant Grade III. It is further submitted that the representation filed by the petitioners may be considered.
3. Perusal of the record would show that from time to time, the petitioners have moved representation to the Collector and District Education Officer on 18.11.2019.
4. Considering the fact that the employee has a right to be considered for promotion, subject to just exception the petitioners' representation for consideration of their case for promotion is required to be considered. Taking into fact that the time which has passed till date, the petitioners are given the liberty to make a fresh representation to the respondent No. 3 within a period of three weeks and if such

representation is filed, the same shall be decided within a further period of four months from the date of receipt of such representation.

5. With the aforesaid directions/ observations, the writ petition stands finally disposed off.

Sd/-

(Goutam Bhaduri)
Judge

Vishakha