

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2836 of 2020**

1. Manharan Singh Mandavi S/o Late Shri Amar Singh Mandavi, Aged About 28 Years R/o Malgaon, Post Kokpur, Tahsil Kanker, District North Bastar Kanker Chhattisgarh
2. Lokesh Nayak S/o Late Pratap Singh Nayak, Aged About 33 Years R/o Village Sarona, Tahsil Narharpur, District North Bastar Kanker Chhattisgarh
3. Manish Kumar Thakur S/o Late Shri Jalsingh Thakur, Aged About 36 Years Caste Gond, R/o Village Anjani, Post Pataud, Tahsil Kanker, District North Bastar Kanker Chhattisgarh
4. Siyaram Bhanwar S/o Late Laxman Singh Bhanwar, Aged About 31 Years R/o Village Sambalpur, Tahsil Bhanupratappur, 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. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order****20.07.2020**

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 2011 and 2013. 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 representations to the Collector and the District Education Officer on 16.10.2019 and 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