

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3171 of 2020**

1. Kriparam Nag S/o Late Shri Mehattar Ram Nag Aged About 55 Years Caste- Gond, Resident Of Village- Puswada, Tahsil- Kanker, District- North Bastar Kanker, Chhattisgarh
2. Smt. Manbati Kunjam W/o Late Shri Budhram Kunjam Aged About 50 Years Caste- Gond, Resident Of Village- Kanapod, Post- Lakhanpuri, Tahsil- Charama, District- North Bastar Kanker, Chhattisgarh
3. Lekhlal Kuldeep S/o Late Shri Shyamlal Kuldeep Aged About 42 Years Resident Of Village- Kilepar, Post- Haradula, Tahsil- Charama, District- North Bastar Kanker, Chhattisgarh
4. Smt. Nirmala Hidko W/o Late Shri Shobhram Hidko Aged About 51 Years Resident Of Gandagauri, Post- Lilejhar, Tahsil- Charama, District- North Bastar Kanker, Chhattisgarh
5. Abhinesh Verma S/o Late Shri Suresh Chandra Verma Aged About 32 Years Resident Of Charama, Tahsil- Charama, District- North Bastar Kanker, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Atal Nagar, Nawa 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 Petitioners : Shri D.N. Prajapati, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****17/08/2020**

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 1992 to 2011. 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 roll 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 shows that the petitioner has moved representation to the District Education Officer on 09.07.2020.
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