

**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(S) No. 894 of 2014**

Naresh Kumar Hedau, S/o. Late C.D.Hedau, Aged About 39 Years,  
R/o. Qtr. No. H-61, P.W.D. Quarter, Panchsheel Nagar, B/H  
Chhattisgarh Club, Civil Lines, Raipur, P.S. & Post Civil Lines,  
Raipur, Civil And Revenue Distt. Raipur, Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh, Through Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, Distt. Raipur, Chhattisgarh
2. Engineer-In-Chief, Water Resources Department, Sinhawa Bhawan, Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**----Respondents**


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For Petitioner : Mr. Vivek Mishra, Advocate on behalf of  
Manoj Paranjpe, Advocate

For State/Respondents : Mr. Priyank Rathi, Panel Lawyer

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****27.01.2020**

Heard

1. The present petition was preferred on the following reliefs :

“(1) That, this Hon'ble Court may kindly be pleased to issue a writ/writs, direction/directions, order/orders and the respondent authorities may kindly be directed to pass appropriate order in respect of the placement of the petitioner in the gradation list of Assistant Grade-III, office of Engineer-in-Chief, Water Resources Department, Raipur on the basis of the date of his joining.

(2) That, this Hon'ble Court may kindly be pleased to issue a writ/writs, direction/directions, order/orders and the respondent authorities may kindly be directed to decide the representation of the petitioner within a stipulated time and

they may further be directed to consider the case of the petitioner and he may be placed above his juniors in the gradation list of Assistant Grade-III, office of Engineer-in-Chief, Water Resources Department, Raipur.

(3) That, this Hon'ble Court may kindly be pleased to grant any other relief(s), which is deemed fit and proper in the aforesaid facts and circumstances of the case.”

2. The primary relief in this petition is claimed for placement of the petitioner in the gradation list of Assistant Grade-III in the Water Resources Department.
3. Learned State counsel would submit that the relief has already been granted in as much as the gradation list has been prepared afresh on 09.06.2014 which is applicable from 01.04.2003 wherein the petitioner's name have been upgraded in seniority.
4. Learned counsel for the petitioner would submit that though the seniority up-gradation have been made from 01.04.2003, however, on the basis of the earlier gradation list, certain juniors have been promoted. Therefore, the petitioner may be given liberty to make a representation that, on the basis of fresh gradation list, the petitioner's case may be considered for promotion with retrospective effect.
5. Having considered the fact that the gradation list have been upgraded on 09.06.2014, however, the same is made applicable from 01.04.2003. If the petitioner was placed senior then in such case the petitioner can always pray for a suitable representation for consideration of his promotion. Accordingly, the petitioner is given liberty to make a representation to the respondents for consideration of promotion on the basis of gradation list and to

count his seniority on the basis of gradation list from 01.04.2003,  
which shall be decided within a reasonable time.

6. With such observation, the petition stands disposed of.

Sd/-  
**(Goutam Bhaduri)**  
**JUDGE**

ashok