

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3852 of 2020

- Mukesh Kumar Bhagat S/o Jairam Bhagat (Junior Technical Assistant), Aged About 34 Years R/o Village Naktikhar, Post Godi, Tahsil And District Korba Chhattisgarh

---- Petitioner

Versus

1. Managing Director Chhattisgarh State Civil Supplies Corporation Limited, Office Of Sector-24, Office Campus, Block- 7/ A, 2nd Floor, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh,
2. Company Secretary, Chhattisgarh State Civil Supplies Corporation Limited, Office Of Sector-24, Office Campus, Block- 7/ A, 2nd Floor, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh,
3. District Manager, Chhattisgarh State Civil Supplies Corporation Limited, Korba, District Korba Chhattisgarh,

---- Respondents

For Petitioner	:	Mr. Pushpendra Kumar Patel, Advocate
For Respondents	:	Mr. Atul Kesharwani, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

09.10.2020

1. Heard
2. Learned counsel for the petitioner submits that the petitioner was appointed on 07.07.2012 with the respondent authorities and till date, 8 years of service have been passed but the petitioner is still being continued on the probation for the reason that his Annual Confidential Report was not made available to the higher authorities to take a decision which is evident from the letter dated 15.10.2019 of the

Chhattisgarh State Civil Supplies Corporation Limited i.e. respondent No. 2 (Annexure P/4). He further submits that under these circumstances, the petitioner filed a representation before the respondent No. 3 on 25.11.2019 (Annexure P/3) along with the letter dated 28.12.2019 and the only prayer made by the petitioner in the present petition is that the said representation may be directed to be considered and decided by the District Manager, Chhattisgarh State Civil Supplies Corporation Limited i.e. respondent No. 3 who may forward the Annual Confidential Report of the petitioner to the respondent No. 2 so that the probation period of the petitioner may be converted to permanent one.

3. Learned counsel for the respondents would submit that the respondent authorities would decide the representation of the petitioner.
4. Perused the record. Perusal of the record shows that the petitioner was appointed on 07.07.2012 and the letter of the respondent No. 2 dated 15.10.2019 (Annexure P/4) shows that his Annual Confidential Report for the years 2013-14, 2014-15, 2015-16 & 2016-17 were not made available to the head office at State Civil Supplies Corporation Limited i.e. respondent No. 2, therefore, his confirmation could not be considered. The letter of the petitioner addressed to the District Manager, Chhattisgarh State Civil Supplies Corporation Limited i.e. respondent No. 3. (Annexure P/3) purports that a request was made by the petitioner to complete his Annual Confidential Report for the years 2013-14, 2014-15, 2015-16 & 2016-17. Prima facie, it is not in

dispute that the petitioner was appointed in the month of July 2012, therefore the respondent No. 3 i.e. District Manager, Chhattisgarh State Civil Supplies Corporation Limited is directed to complete the documents in all aspects and communicate the same to higher authorities so that his case for confirmation can be considered and decided by the respondent No. 2. The said exercise may be carried out within a period of 45 days from the date of receipt of copy of this order.

5. With the aforesaid direction/ observation, the writ petition stands disposed off.

sd/-
(Goutam Bhaduri)
Judge