

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4634 of 2020**

1. Vijay Kumar Sahu S/o Late G.L. Sahu Aged About 58 Years Working As Subedar (M), O/o The Superintendent Of Police, District Rajnandgaon Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Home, Mantralaya, New Raipur, District Raipur Chhattisgarh 492002.
2. The Director General Of Police Police Head Quarter, New Raipur, District Raipur Chhattisgarh. 492002.
3. The Assistant Inspector General Of Police (Selection) Police Head Quarter, Atal Nagar, District Raipur Chhattisgarh 492002.
4. The Superintendent Of Police District Rajnandgaon Chhattisgarh.

---- Respondents

For Petitioner : Shri Sunil Pillai, Advocate.

For State : Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02.12.2020**

1. The grievance of the petitioner in the present writ petition seems to be the alleged decision on the part of the respondents in not considering the case of the petitioner for promotion from the post of the Sub Inspector to Inspector against the dedicated post reserved for District Rajnandgaon.
2. The contention of the petitioner was that on the previous occasion, he was not considered perhaps on the ground of pendency of disciplinary proceedings. He further submits that the said disciplinary proceedings finally culminated by the issuance of a minor punishment of stoppage of one increment for a period of one year without cumulative effect vide order dated 03.01.2019.

3. If, the aforesaid contention is to be accepted then the effect of the minor punishment got over in July 2020. Since, during the previous promotion process, the petitioner was facing a disciplinary proceedings and it has culminated by a minor punishment. The petitioner may not be entitled for promotion during the said period. However now that the rigor of that minor punishment dated 03.01.2019 having already been over in July 2020 there is nothing adverse against the petitioner as of now prima facie which comes in the way of the petitioner from being considered for promotion in the subsequent promotion process which has again been initiated vide proposal dated 21.04.2020.
4. At this juncture, learned counsel for the petitioner also submits that the name of the petitioner finds place in the list of candidates brought in the zone of consideration and his place is at serial No. 4 in the order of seniority.
5. Given the said facts, the writ petition at this juncture stands disposed of directing the respondents to consider the case of the petitioner for promotion in accordance with the service Rules governing the field, at the earliest and taking into consideration a short tenure of service left for the petitioner to retirement from service.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge