

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4443 of 2020

1. Sundar Ram Jain, S/o Laxman Jain, Aged About 60 Years, Presently Posted As Assistant Grade-III, At Industrial Training Institute, Kanker, R/o Shiv Nagar, Near Ganesh Temple, Kanker, District : Kanker, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Skill Development Technical Education And Employment Department Mantralaya, Mahanadi Bhawan, Naya Raipur, P. O. And P. S. Rakhi, District : Raipur, Chhattisgarh
2. Director, Directorate Employment And Training Indrawati Bhawan, Block 04 First Floor, Naya Raipur, District : Raipur, Chhattisgarh
3. Superintendent, Industrial Training Institute, Kanker, District : Kanker, Chhattisgarh
4. Niraj Sharma, Presently Posted As Assistant Grade-II, At Directorate Of Employment And Training New Raipur, District : Raipur, Chhattisgarh

----- Respondents

For Petitioner	:	Mr. Harshmander Rastogi, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19.11.2020

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not promoting the petitioner from the post of Assistant Grade-III to the post of Assistant Grade-II in spite of the fact that he was much higher in the seniority list published by the department and the persons much junior to the petitioner have been granted promotion vide order dated 25.11.2017.

2. The further grievance of the petitioner is that in spite of the repeated representations to the respondent-authorities, they have not decided the same. The further contention of the counsel for the petitioner is that even otherwise the petitioner does not suffer from ineligibility from being denied for promotion and also there has been no show-cause notice nor disciplinary proceedings pending against the petitioner for being denied the promotion nor the respondents have shown any justifiable reason for denying the promotion to the petitioner, which he is claiming for.
3. Given the aforesaid contentions that the petitioner have raised in the writ petition, this Court is of the opinion that ends of justice would meet, if the writ petition is disposed off with a direction to the respondent no. 1 and 2 to consider the representation of the petitioner and to take a decision on the representation at the earliest, preferably within a period of sixty days' from the date of receipt of copy of this Order and if the petitioner was found eligible for promotion then appropriate order should be passed granting him the promotion from the date his immediate junior was promoted on 25-11-17.
4. In addition the petitioner is also permitted to make a fresh representation; so far his grievance is concerned.
5. With the aforesaid direction, the present writ petition stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**