

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4247 of 2016**

Lekhram Shrivastava S/o Shri Kanihiya Lal Shrivastava, Aged about 48 years, R/o Quarter No. D/03, Police Training School, Mana, Police Station Mana, Tahsil and Distt. Raipur, Chhattisgarh.

---Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Home Secretariat, Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
2. Director General of Police (DGP), Police Headquarter (PHQ) Near Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
3. Inspector General of Police (IGP), Office of Inspector General of Police, Shankar Nagar, Raipur, Distt. Raipur, Chhattisgarh.
4. Superintendent of Police (S.P.), Police Training School (P.T.S.) Mana, Police Station Mana, Raipur, Distt. Raipur, Chhattisgarh.

--- Respondents

WPS No. 4279 of 2016

Ishvar Janghel, S/o Late Shri Ghasiya Janghel, Aged about 59 years, R/o Police Training School, Mana, Quarter No. C/20 Police Station Mana, Tahsil and Distt. Raipur, Chhattisgarh.

---Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Home Secretariat, Mahanadi Bhawan,

New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.

2. Director General of Police (DGP), Police Headquarter (PHQ) Near Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
3. Inspector General of Police (IGP), Office of Inspector General of Police, Shankar Nagar, Raipur, Distt. Raipur, Chhattisgarh.
4. Superintendent of Police (S.P.), Police Training School (P.T.S.) Mana, Police Station Mana, Raipur, Distt. Raipur, Chhattisgarh.

--- Respondents

WPS No. 4297 of 2016

Dukhit Ram Nirmalkar S/o Late Shri Bhagau Ram Nirmalkar, Aged about 33 years, R/o Temri, Ekta Nagar, Mana, Police Training School, Mana, Police Station Maha, Tahsil and Distt. Raipur, Chhattisgarh.

---Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Home Secretariat, Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
2. Director General of Police (DGP), Police Headquarter (PHQ) Near Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
3. Inspector General of Police (IGP), Office of Inspector General of Police, Shankar Nagar, Raipur, Distt. Raipur, Chhattisgarh.

4. Superintendent of Police (S.P.), Police Training School (P.T.S.) Mana, Police Station Mana, Raipur, Distt. Raipur, Chhattisgarh.

--- Respondents

WPS No. 4298 of 2016

Domar Singh Gangboir, S/o Late Shri Sadhuran Gangboir, Aged about 54 years, R/o Police Training School, Mana, Quarter No. C/10 Police Station Mana, Tahsil and Distt. Raipur, Chhattisgarh.

---Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Home Secretariat, Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
2. Director General of Police (DGP), Police Headquarter (PHQ) Near Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, Distt. Raipur, Chhattisgarh.
3. Inspector General of Police (IGP), Office of Inspector General of Police, Shankar Nagar, Raipur, Distt. Raipur, Chhattisgarh.
4. Superintendent of Police (S.P.), Police Training School (P.T.S.) Mana, Police Station Mana, Raipur, Distt. Raipur, Chhattisgarh.

--- Respondents

For Petitioners	:-	Mr. Abhishek Pandey and Ms. Laxmin Kashyap, Advocates
For State	:-	Mr. Animesh Tiwari, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board (Through Video Conferencing)

22/07/2021

1. Since common question of law and fact is involved in all these writ petitions, therefore they are clubbed together, heard together and are being disposed of by this common order.
2. The short grievance raised in this batch of writ petitions is that petitioners were appointed on the post of Constable (Tradesman) by respondent No. 4 and they have been working on the said post for more than 20 years, but they have yet not been promoted on the post of Head Constable (Tradesman) whereas a similarly appointed Constable (Tradesman) namely Baidyanath Tiwari has already been promoted on the post of Head Constable (Tradesman) pursuant to the order passed by this Court in WPS No. 1066/2005 (Baidyanath Tiwari v. State of M.P. & Ors.). It is also the case of the petitioners that they have made representation to respondents No. 3 and 4 for their promotion on the post of Head Constable (Tradesman) in accordance with the Rules and Regulations application but their representation has also not been considered.
3. Mr. Abhishek Pandey, learned counsel for the petitioners, would submit that petitioners have

filed representation for promotion on the post of Head Constable (Tradesman) before respondents No. 3 and 4 which is still pending whereas the representation of one Baidyanath Tiwari has already been consideration pursuant to the order passed by this Court in WPS No. 1066/2005 and he has already been promoted on the post of Head Constable (Tradesman), as such, appropriate direction may be issued.

4. Mr. Animesh Tiwari, learned State counsel, would submit that a new policy has been incorporated for promotion on the post of Head Constable (Tradesman).

5. I have heard learned counsel for the parties at length.

6. It is the case of the petitioners that they have working on the post of Constable (Tradesman) for more than 20 years, but still their cases have not been considered for promotion on the post of Head Constable (Tradesman) and one other similarly appointed Constable (Tradesman) namely Baidyanath Tiwari has already been promoted on the post of Head Constable (Tradesman) pursuant to the order passed by this Court in WPS No. 1066 of 2005.

7. Be that as it may, respondents No. 3 and 4 are directed to consider the representations filed by the petitioners for their promotion on the post of Head Constable (Tradesman) in accordance with the applicable rules and regulations and decision passed by this Court in WPS No. 1066/2005 and decide it within 45 days from the date of receipt of a copy of this order by passing a reasoned and speaking order. Petitioners are liberty to file additional documents in support of their representations. This Court has not expressed any opinion on merits.

8. With the aforesaid direction, these writ petitions stand disposed of. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet