

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 977 of 2021**

Anuj Pratap Singh, S/o Shri Samay Raj Singh, Aged About 42 Years R/o 8th Battalion, C-Company, Bijapur, Police Station - Bangapal, Tahsil - Bhairamgarh, District Bijapur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Department Of Home/Police, Mahanadi Bhawan, Mantralaya, Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh.
2. Director General Of Police (D.G.P.) Police Headquarters (P H Q), Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh
3. Chairman, Departmental Promotion Committee / Deputy Inspector General, Police Headquarters (PHQ), Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh.
4. Superintendent Of Police (S.P.), Member, Departmental Promotion Committee, STF - Baghera, District Durg Chhattisgarh
5. Commandant, 7th Battalion, Chhattisgarh Armed Force (CAF) / Member, Departmental Promotion Committee, Bhilai, District Durg Chhattisgarh
6. Additional Superintendent Of Police / Member, Departmental Promotion Committee, STF - Baghera, District Durg Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

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

25/02/2021

1. The challenge in the present writ petition is to the promotion process which was initiated by the respondents from the post of Head Constable to the post of Assistant Platoon Commander.
2. The primary contention on the part of the petitioner while challenging the promotion process was that the respondents were invoking the SOP 75/2010 for the purpose of promotion process, whereas according to the petitioner, this SOP 75/2010 already stood superseded by SOP 75/2017, therefore the entire process itself was bad.
3. The learned State counsel on the previous date was directed to seek instructions in this regard. Today, the learned State counsel on instructions submits that it is true that SOP 75/2010 stands superseded by SOP 75/2017, but the promotion process initiated by the respondents under challenge in the present writ petition is not invoking SOP 75/2010, rather it is a special SOP framed by the respondents on 23.01.2010 and which has been framed exclusively for promotion to the special task force engaged in the naxalite area and which has been specifically framed taking into consideration the need of the Department to face the situation at naxalite areas.
4. Given the fact that the State counsel submits that the SOP 75/2010 is not being invoked for the purpose of promotion and it is the special SOP dated 23.01.2010 which is being invoked. The challenged raised by the petitioner does not seem to have any force.

5. At this juncture, the learned counsel prays for withdrawal of the writ petition seeking liberty to approach the respondents on the administrative side by making a suitable representation in this regard.
6. Given the said facts the writ petition at this juncture stands disposed of permitting the petitioner to approach the authorities on the administrative side ventilating his grievances.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved