

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No.6586 of 2011**

- Krishna Kumar Shukla, aged about 62 years, S/o Late Shri Rajkishore Shukla, Retired Assistant Engineer, Water Resources Department, R/o C-202, Shailendra Nagar, Raipur (C.G.)

**----- Petitioner**

**Versus**

- 1.State of Chhattisgarh through the Secretary, Water Resources Department, Secretariat, D.K.S. Bhawan, Raipur (C.G.)
- 2.The Engineer-in-Chief, Water Resources Department, Sihawa Bhawan, District Raipur (C.G.)
- 3.The Chief Engineer, Mahanadi Project, Water Resources Department, Raipur, District Raipur (C.G.)
- 4.State of Madhya Pradesh, through the Secretary, Water Resources Department, Vallabh Bhawan, Mantralaya, Bhopal (M.P.)
- 5.The Engineer-in-Chief, Water Resources Department, Narmada Bhawan, Bhopal (M.P.)

**----- Respondents**

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| For Petitioner       | Mr. Sameer Behar, Advocate |
| For Respondent-State | Mr. Avinash Singh, PL      |

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**Hon'ble Justice Shri Sanjay K. Agrawal**

**Order On Board**

**25/08/2021**

1. Mr. Sameer Behar, learned counsel for the petitioner, would submit that the petitioner was removed from service pursuant to his conviction for the offence under Section 13 (1) (e) read with Section 13 (2) of the Prevention of Corruption Act, 1988, but subsequently he was acquitted by this Court on 30.03.2010 in CRA No.490/2002 and thereafter he has been reinstated on the post of Assistant Engineer and other service benefits were given to him, but his case for proforma promotion the post of Executive Engineer, thereafter Superintending Engineer and Chief Engineer has not been considered, though the Engineer-in-Chief vide memo/letters dated 06.10.2010 (Annexure-P/10) and 22.03.2011 (Annexure-P/11) has recommended the case of the petitioner for proforma promotion to the State Government, but still no decision has been taken. Therefore, the respondent authorities may be directed to consider the case of the petitioner for proforma promotion.
2. Mr. Avinash Singh, learned State counsel, would submit that if the petitioner makes fresh representation, the same shall be

considered and decided in accordance with law.

3. Be that as it may, if the petitioner makes fresh representation within 2 weeks from today, the respondent Nos.1 & 2 are directed to consider and decide the petitioner's representation for proforma promotion keeping in view the memo/letters dated 06.10.2010 & 22.03.2011 (Annexure-P/10 & P/11) in accordance with law by a reasoned and speaking order within a period of 2 months from the date of receipt of copy of fresh representation. The petitioner is at liberty to rely on the applicable rules, regulations and judicial precedents in support of his case.
4. With the aforesaid observation and direction, the writ petition stands disposed of. No order as to cost (s).

Sd/-  
Sanjay K. Agrawal  
Judge

Nirala