

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4736 of 2010

- Jagdish Prasad Dwivedi, aged about 51 years,
S/o A. Dwivedi, Ganga Nagar, Sector-II,
Mangala Road, Bilaspur, Distt.-Bilaspur C.G.

----- Petitioner

Versus

- Chhattisgarh State Civil Supplies
Corporation Limited through the Managing
Director Chhattisgarh State Civil Supplies
Corporation Limited, Campus of Bal-Ashram
Kuttchary Chouk Raipur, C.G.

----- Respondent

For Petitioner :- Mr. Anurag Dayal Shrivastava,
Adv.

For Respondent :- None

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/07/2021

1. Proceedings of this matter have been taken
up through video conferencing.
2. Learned counsel for the petitioner submits
that by order dated 21.06.2005 petitioner
has been promoted on the post of Assistant

Manager by the Respondent-Corporation but by order dated 09.08.2010 promotion has been withdrawn without giving any opportunity of hearing, as such, the impugned order is liable to be set aside being violative of principle of natural justice and now petitioner has also retired from the service on 31 July, 2020.

3. None for the respondents though served.

4. I have heard learned counsel for the petitioner, considered his rival submissions herein-above and went through the records with utmost circumspection.

5. Admittedly petitioner was promoted on the post of Assistant Manager on 21.06.2005, who has retired from the service, but order of promotion has been withdrawn on 09.08.2010 without giving an opportunity of hearing by applying the amended rules which have retrospective effect which is in violation of principles of natural justice and accordingly the impugned order dated 09.08.2010 is hereby set aside.

6. The petition is allowed to the extent indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit