

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2337 of 2021**

R. K. Shanker S/o Late Shri Kripa Shanker, Aged About 66 Years Shiv Shakti Apartment, Plot Gh 15 Sector 21c, Faridabad- 121001

---- Petitioner

Versus

Chhattisgarh State Power Holding Company Ltd. Vidyut Sewa Bhawan Daganiya, Raipur Chhattisgarh, District : Raipur, Chhattisgarh

----Respondent

For Petitioner	:	Mr. S.S. Baghel, Advocate
For State	:	Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/07/2021**

1. The grievance of the petitioner in the present writ petition is only to the extent of the non-granting of proper seniority to the petitioner on the post of Executive Engineer, on which post the petitioner was promoted on 07.05.1999 and the persons, who were promoted much after the petitioner was promoted, have been placed over and above the petitioner in the gradation list.
2. The only reason for placing the petitioner below the persons, who were promoted much after the petitioner was promoted, was on the ground that the promotion that the petitioner received was under the time bound promotion scheme. The counsel for the petitioner submits that he has already preferred a representation to the respondent citing a judgment of the Madhya Pradesh High Court in respect of a bunch of similarly placed persons, who had approached the Madhya Pradesh High Court and where the view of

the Madhya Pradesh High Court is that even if the promotion has been issued under the time bound promotion scheme, the seniority of that employee has to be counted from the date, he has been promoted even if its under time bound promotion scheme, which according to the petitioner in the instant case is 07.05.1999.

3. The petitioner at this juncture submits that the writ petition as of now be disposed of directing the respondent to decide the representation on its own merits in accordance with law.
4. Without expressing any opinion on the merits of the case, the writ petition at this juncture stands disposed of directing the respondent to consider and decide the representation of the petitioner on its own merits at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge