

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3035 of 2019**

Desh Bandhu Sharma S/o Shri Shanker Prasad Sharma Aged About 45 Years Lecturer, Govt. Higher School, Bhilai-3, Block Patan, District Durg Chhattisgarh

---- Petitioner**Versus**

1. State Govt. Of Chhattisgarh Through The Secretary, School Education Department, Ministry, Mahanadi Bhawan, P. S. Rakhi, Atal Nagar, New Raipur Chhattisgarh
2. Director Public Instruction, State Govt. Of C. G. Indrawati Bhawan, Atal- Atal Nagar, New Raipur Chhattisgarh
3. District Education Officer Durg District Durg Chhattisgarh
4. Shri Ajay Kumar Kaushik Lecturer, Govt. Girls Higher Secondary School, Chakarbhatta, Tahsil And District Bilaspur Chhattisgarh

----Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Suyash Dhar, Panel Lawyer_

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

16/07/2021

1. The grievance of the petitioner is that the petitioner was not considered for promotion to the post of Lecturer for the reason that the cut off date to get a post graduation degree was 30.09.2009. He further submits that the petitioner result though was declared on 30.09.2009 (Annexure P-4) by the University and he passed out the post graduation in M.SC. (Maths), however, the mark-sheet was subsequently given. Therefore, the issuance of mark-sheet will not govern the date of passing as it will relate back to the declaration of the result irrespective of the fact that the mark-sheet were subsequently issued. Learned counsel further submits that the

petitioner though subsequently promoted may be considered from back date i.e. 28.01.2011. Therefore, he has made a representation to Director which may be decided.

2. Perused the documents.
3. Perusal of records would show that the petitioner result was declared on 30.09.2009 (Annexure P-4), however, the mark-sheet was subsequently given. Taking into such fact the prayer is made that the representation filed by the petitioner may be decided, the prayer appears to be reasonable. Therefore, the petitioner is given liberty to make a fresh representation to Respondent No. 2 within a period of 4 weeks from today. If such representation is filed along with all the relevant documents the same shall be decided by Respondent No.2 within a outer limit of 6 months from the date of receipt of a copy of this order.
4. With such observation, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge