

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2556 of 2021**

Kamal Narayan Sahu S/o T. L. Sahu, Aged About 35 Years, Presently Working As Constable (Trade Electrician), S T F- Baghera, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary, Department Of Home (Police) Mahanadi Bhawan, New Mantralaya, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. The Director General Of Police, Police Head Quarter- Raipur, District Raipur, Chhattisgarh
3. The Special Director General Of Police, Chhattisgarh Armed Force, Police Head Quarter- Raipur, Chhattisgarh
4. The Inspector General Of Police, Chhattisgarh Armed Force, Police Head Quarter- Raipur, Chhattisgarh
5. The Deputy Inspector General Of Police, Chhattisgarh Armed Force, Police Head Quarter- Raipur, Chhattisgarh
6. The Superintendent Of Police, S T F- Baghera, District- Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sushil Dubey, Advocate
For State	:	Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18.06.2021**

1. The limited grievance that the petitioner has in the present writ

petition is the alleged inaction on the part of the respondents in not recommending the case of the petitioner for promotion from the post of Constable (Trade) to the post of Head Constable (Trade).

2. According to the petitioner, under the SOP governing the filed, the minimum requirement for being considered for the next promotion is 6 years and the petitioner has already been put in around 12 years of service. However, arbitrarily his name is not being recommended by the authority concerned for promotion. Counsel for the petitioner further submits that the petitioner has already submitted a detailed representation to the authority concerned but till date no decision on the said representation has been taken and therefore, prays that as of now the respondents may be directed to consider and decide the representation of the petitioner on its own merits.
3. Learned state counsel submits that the promotion which the petitioner is claiming would always be subject to the petitioner's fulfilling the minimum eligibility criteria and also subject to the availability of vacancies.
4. Given the said submission by the learned counsel for the parties, the writ petition at this juncture can be disposed of directing the respondents 4 to 6 to take an appropriate decision on the representation that the petitioner has made. The petitioner would also be entitled to file a fresh representation in addition to what he has already made supported with all relevant documents in support of his contention. Respondents 4 to 6 are directed to take a decision so far as the eligibility of the petitioner is concerned, in accordance with law and the guidelines governing the field, at the earliest, preferably within

a period of 60 days from the date of receipt of copy of this order.

5. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**

Khatai