

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 2722 of 2021

1. Kriparam Thakur S/o Ramadhin Thakur Aged About 60 Years Working As Assistant Development Extension Officer, Janpad Panchayat, Fingeshwar District Gariyaband Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Panchayat and Rural Development Department Mahanadi Bhawan, Mantralaya Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. The Director Directorate of Panchayat Vikas Bhawan, Sector - 19, Nawa Raipur, Atal Nagar, Raipur Chhattisgarh.
3. The Development Commissioner Vikas Bhawan, Sector - 19, Nawa Raipur, Atal Nagar Raipur Chhattisgarh.
4. Rup Kumar Dhruw Working as Development Extension Officer Janpad Panchayat, Fingeshwar, District Gariyaband Chhattisgarh.

---Respondents

For Petitioner	:	Shri Krishna Kumar Dewangan, Advocate.
For Respondent-State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22.06.2021

1. The present writ petition has been filed aggrieved of the action on the part of the respondents in issuing the promotion order to the post of Development Extension Officer bypassing the petitioner inspite of being senior.
2. According to petitioner, vide the impugned order of promotion juniors to the petitioner have been promoted however without any reason the petitioner has been left out. It is further contention of the petitioner that there was no disciplinary proceeding pending against the petitioner neither was any punishment order in operation and that there was also no adverse entry in the ACR communicated to the petitioner in the recent past by which he could have been deprived of the promotion, yet he has been superseded by persons who are junior to the petitioner. That earlier also promotion

orders have been passed wherein juniors to the petitioner have been promoted.

3. Perusal of record would show that the petitioner till date has not made any representation/objection in respect of alleged supersession or bypassing the petitioner for promotion.
4. Given the said facts and circumstances of the case, let the petitioner make a detailed representation/objection to the respondents No.2&3 within a period of 15 days and the respondents No.2&3 in turn shall consider and decide the representation/objection of the petitioner within a further period of 90 days from the date of receipt of said representation. Decision to be taken should be a reasoned order taking into consideration the factual matrix of the case and also taking into consideration the rules and guidelines governing promotion.
5. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge