

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3168 of 2021**

Jay Prakash Ram S/o Late Shri Harinath Ram, Aged About 37 Years
Working As Assistant Grade-3, Presently Posted At Govt. High School,
Kaliya, Block Bagicha, District Jashpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Of Department,
Atal Nagar, Mantralaya, Nawa Raipur, Chhattisgarh
2. The District Education Officer, District Jashpur, Chhattisgarh
3. Rajkumar Sai S/o Shri Dalu Sai, Working As Assistant Grade-2, Office
Of The Block Education Officer Farsabahar, Block Farsabahar, District
Jashpur, Chhattisgarh
4. Ku. Reena Ekka D/o Shri Suleman Ekka, Posted As Assistant Grade-2,
Govt. High School, Saraipani, Block Bagicha, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01.07.2021**

1. The grievance of the petitioner in the present writ petition is the super-session of the petitioner in promotion to the post of Assistant Grade-II.
2. According to the petitioner, the petitioner along with the private respondents 3 & 4 were appointed vide the same order dated 26.10.2012. The petitioner was senior to the private respondents 3 & 4 and in the periodical gradation list that were published, the name of the petitioner appeared ahead of the respondents 3 & 4. It is the further

contention of the petitioner that as on date the petitioner stands disqualified from being considered for promotion on account of either any disciplinary proceedings pending against him or on account of any criminal case pending against him or for any other reason as such. Moreover, according to the petitioner, the private respondents 3 & 4 are also belonging to the same category to which the petitioner belonged. Yet the respondents have shown undue favour in favour of the respondents 3 & 4 while granting promotion to the post of Assistant Grade-II from the post of Assistant Grade-III.

3. Considering the nature of dispute that the petitioner had, let the petitioner, in addition to any representation that he has already made to the authorities concerned, make a fresh representation to the respondents 1 & 2 within a period of 3 weeks from today and the respondents 1 & 2 shall consider the representation in accordance with law dealing with seniority on its own merits after due verification of the service records at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge