

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 1618 of 2013**

Shri Suresh Singh Kushwaha, S/o Late Shri Fateh Singh Kushwaha, Aged about 55 years, R/o CTJW College, Kanker, Police Station Kanker, Revenue Area and Distt. Kanker, Chhattisgarh.

---Petitioner

Versus

- 1.State of Chhattisgarh, through Secretary, Home Department, Mahanadi Bhawan, Mantralaya New Raipur, Police Station Rakhi, Distt. Raipur, Chhattisgarh.
- 2.The Director General of Police, Police Head Quarters, Raipur, Distt. Raipur, Chhattisgarh.
- 3.The Commandant CTJW College, Kanker, Chhattisgarh.

---Respondents

For Petitioner :- Mr. Ashok Patil, Advocate

For State :- Mr. Animesh Tiwari, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/10/2021

1. Mr. Ashok Patil, learned counsel for the petitioner, would submit that petitioner is entitled to be promoted on the post of Company Commander (Dog Squad) and though he is qualified and eligible for the same but he has not been

promoted, therefore, appropriate direction be issued to respondents No. 1 to 3 in this regard.

2. Mr. Animesh Tiwari, learned counsel for respondents No. 1 to 3/State, would submit that in the return, respondents No. 1 to 3/State have clearly stated that service of the petitioner is governed by the provisions of Chhattisgarh Police Dog Squad Recruitment and Promotion Rules according to which petitioner was promoted to the post of Platoon Commander (Dog Handler) on 21/12/2011 and the post of Company Commander (Dog Squad) is not a sanctioned post, therefore, petitioner's case could not have been considered which is apparent from Annexure R/1. As such, the instant writ petition deserves to be dismissed.
3. I have heard learned counsel for the parties, considered their rival submissions and perused the records.
4. Though the petitioner is seeking promotion on the post of Company Commander (Dog Squad) but it has been emphatically stated by the respondents/State that the post of Company Commander (Dog Squad) is not a sanctioned post. As such, admittedly and undisputedly, since the post of Company Commander (Dog Squad) is not sanctioned in the set up of the respondents, they have rightly not considered the

case of the petitioner for promotion on the post of Company Commander (Dog Squad). I do not find any merit in this writ petition.

5. Accordingly, the instant writ petition deserves to be and is accordingly dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

Harneet