

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 3265 OF 2021**

1. Dikendra Khunte, S/o Shri Santu Lal Khunte, aged about 31 years, presently posted and working as A.G.-III, in the office of Controller, Food & Drug Administration, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. Somendra Kumar Dhruv, S/o Shri Pratap Singh Dhruv, aged about 31 years, presently posted and working as A.G.-III, in the office of Controller, Food & Drug Administration, Atal Nagar, Nawa Raipur, District Raipur (CG)
3. Vishal Katakwar, S/o Shri Bharat Kumar Katakwar, aged about 35 years, presently posted and working as A.G.-III, in the office of Controller, Food & Drug Administration, Atal Nagar, Nawa Raipur, District Raipur (CG)
4. Hemlata Shivhane, D/o Shri Sukhi Ram Shivhane, aged about 31 years, presently posted and working as A.G.-III, in the office of Controller, Food & Drug Administration, Atal Nagar, Nawa Raipur, District Raipur (CG)
5. Lokesh Kumar Rawat, S/o Shri Madhukar Rawat, aged about 32 years, presently posted and working as A.G.-III, in the office of Controller, Food & Drug Administration, Atal Nagar, Nawa Raipur, District Raipur (CG)

... Petitioners**versus**

1. State of Chhattisgarh, through the Secretary, Health & Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. Controller, Food and Drug Administration, Chhattisgarh, Block-I, Fourth Floor, Indravati Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Shashank Thakur, Advocate.
For Respondents/State	:	Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/07/2021**

1. Aggrieved by the inaction on the part of Respondents in holding the DPC for the last more than 7 years, the present Writ Petition has been filed by Petitioners.
2. According to Petitioners, they are all working on the post of Assistant Grade-III which itself is a feeder post in the Department for promotion to the post of Assistant Grade-II. The minimum requirement for promotion to the post of Assistant Grade-II is 5 years of service which all the Petitioners have acquired long back, yet they are being deprived of their chance for being

promoted to the next higher post in spite of large number of vacancies available in the Department so far as the post of Assistant Grade-II is concerned.

3. Given the limited grievance that the Petitioners have and also taking note of the fact that for last many years DPC has not been convened by the Department for promotion to the post of Assistant Grade-II, the present Writ Petition at this juncture is disposed of directing the Respondent No.2 to take an appropriate decision regarding the promotion to the post of Assistant Grade-II in accordance with law by convening the DPC, which under the Rules of 2003 requires to be held regularly, if not, at least once a year, and after due verification of the facts and records whether the Petitioners are in the zone of consideration for promotion to the next higher post or not and subject to their fulfilling the other eligibility criterias.

4. Let an appropriate decision in this regard be taken at the earliest, preferably within a period of 90 days from the date of receipt of copy of this Order.

5. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE