

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3975 of 2021

1. Kranti Dhruw D/o Shri Ram Kishun Dhruv Aged About 38 Years Presently Working As CEO, Janpad Panchayat Saja, District - Bemetara (Chhattisgarh),
2. Swechha Singh D/o Shri R.P. Singh, Aged About 35 Years Presently Working As Faculty Member, Thakur Pyarelal Institute Of Panchayat And Rural Development, Raipur (Chhattisgarh)
3. Varsha Rani Chikanjuri D/o Shri D.K. Chikanjuri Aged About 34 Years Presently Working As Assistant Director Regional Panchayat And Rural Development, Training Centre, Surguja (Chhattisgarh)
4. Ruhi Tembhurkar D/o Shri P.N. Tembhurkar Aged About 32 Years Presently Working As CEO Janpad Panchayat, Office Of Development Commissioner, Raipur (Chhattisgarh)
5. Virendra Kumar Jaiswal S/o Shri Shyamlal Jaiswal Aged About 33 Years Presently Working As CEO, Janpad Panchayat, Dharsiva, District Raipur (Chhattisgarh)
6. Aditi Pandey D/o Shri A.N. Pandey Aged About 30 Years Presently Working As Assistant Director, Regional Panchayat And Rural Development Training Institute, Raipur District Raipur (Chhattisgarh)

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Versus

1. State Of Chhattisgarh Through - The Principal Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
2. The Development Commissioner Panchayat And Rural Development Department, Mahanadi Bhawan, Atal Nagar, Raipur (Chhattisgarh)

---Respondents

For Petitioners	: Shri Prafull N. Bharat, Sr. Counsel along with Shri Shobhit Mishra, Advocate
For State	: Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/08/2021

1. The present writ petition was filed aggrieved by the inaction on the part of the respondents in not initiating promotion process in the

cadre to which the petitioners belong i.e. the cadre of Chief Executive Officer.

2. According to the learned counsel for the petitioners, all of them have completed the requisite length of services required for the next promotion in terms of the Rules governing the field as on date i.e. Chhattisgarh Panchayat and Rural Development Department (Gazetted) services Recruitment Rules, 2013.
3. The contention of the learned counsel for the petitioners was that from the year 2016 onwards, there has been no promotional process convened or initiated by the respondents for further promotion from the post of CEO to the post of Deputy Commissioner. According to the counsel for the petitioners, in-terms of the Rules, the Department has to initiate promotional process at-least once a year for filling up of the vacant posts and the initiation has to be done in the first quarter of each year, but for the last many years it has not been done, which has led to filing of the present writ petition.
4. Learned counsel for the State on the other hand on seeking instruction submits that the department has already as of now initiated steps for filling up of the vacant posts by way of promotion. According to the State Counsel correspondences have been made to various authorities under whom the petitioners and similarly placed Chief Executive Officers are posted. The information has been sought so far as to ascertain whether there is any disqualification as such against any of these officers who would fall in the zone of consideration for promotion.

5. The State Counsel referred to two documents in this regard dated 04.05.2021 and another issued on 05.07.2021, both of which were issued from the office of the Development Commissioner. In the light of the two correspondences shared by the State Counsel, it gives an impression that the respondents have already initiated the process of filling up of the promotional posts.
6. Under the circumstances, the writ petition at this juncture is disposed of directing the respondents to ensure and expedite the promotion process and to ensure that the promotion process is convened strictly in adherence to the aforementioned Rules of 2013. It is also expected that the authorities shall be keeping in view the orders of the State Government, General Administration Department i.e. Annexure P-4 dated 16.02.2015 and Annexure P-5 dated 15.01.2021 specifically laying down the schedule of time within which the promotion process have to be concluded.
7. Expecting the respondents to conclude the proceedings at the earliest keeping in view the aforesaid rules and orders of the General Administration Department Government of Chhattisgarh, the present writ petition as of now stands disposed of.

Sd/-

(P. Sam Koshy)
Judge