

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4003 of 2021

1. Sudama Kumar Vishwal Son Of Shri Hiradhar Vishwal Aged About 54 Years Working As Peon, Presently Working At Govt. Higher Secondary School, Pathalgaon, District- Jashpur (Chhattisgarh)

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Atal Nagar, Nawa Raipur (Chhattisgarh)
2. The District Education Officer Jashpur, District - Jashpur (Chhattisgarh)
3. The Principal Govt. Higher Secondary School, Pathalgaon, District- Jashpur (Chhattisgarh)
4. Jagmohan Singh Son Of Baldev Ram Promoted As Assistant Grade-3, Govt. Higher Secondary School, Bargaon, Block- Jashpur, District- Jashpur (Chhattisgarh)
5. Chhatramohan Yadav Son Of Late Asruram Yadav Promoted As Assistant Grade-3, Govt. Higher Secondary School, Sureshpur, Block- Pathalgaon, District- Jashpur (Chhattisgarh)

---Respondents

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

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.08.2021

1. The grievance of the petitioner in the present writ petition seems to be the supersession of the petitioner or the petitioner not being promoted at par with his immediate juniors on the post of Assistant Grade-III.
2. The petitioner herein is working under the respondents on the post of Peon in Class-IV category. The petitioner along with the private respondents were appointed vide the same order dated 04.10.2008. The petitioner was senior to the private respondents and even in the periodical gradation list published the name of the petitioner appeared ahead of the private respondents.
3. It is the contention of the petitioner that he does not suffer from any disqualification from being promoted as no disciplinary proceedings or any criminal case is pending consideration nor any punishment order is in

operation on account of which promotion of the petitioner could had been deferred with. According to the petitioner, he also belongs to the same category to which the private respondents are, yet the respondents have shown undue favour towards the private respondents ignoring the claim of the petitioner while granting promotion to the post of Assistant Grade-III.

4. Considering the entire facts and circumstances of the case and the nature of dispute raised by the petitioner, let the petitioner make a representation to the authorities concerned in addition to any representation that he has made in the past, if any, within a period of three weeks from today and the respondents No.1&2 in turn shall consider the same in accordance with law on its own merit at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge