

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4460 of 2021**

Smt. Gulshan Jaiswal S/o Shri B.D. Jaiswal, Aged About 42 Years Posted As Peon, In The Office Of Food And Drugs Administration, Kalibadi, Raipur, District Raipur (C G), Civil And Revenue District Raipur Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhavan, Mantralay, Atal Nagar, New Raipur Chhattisgarh
2. The Controller, Food And Drugs Administration, Indrawati Bhavan, New Raipur, Atal Nagar, District Raipur Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Manoj K. Sinha, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy
Order on Board

25/08/2021

1. The grievance of the petitioner in the present writ petition seems to be the inaction on the part of the respondents in not filling up of the promotional post of Assistant Grade-III from among the reserved post from the departmental candidates belonging to the class-IV cadre.
2. According to the petitioner, they fulfill all the requisite qualifications for promotion and that for last many years no promotions have been made from class-IV to class-III, thereby the rights of the petitioner from being considered for promotion is being denied and deprived for long. The promotional rules applicable in the State of Chhattisgarh require the promotional process to be undertaken periodically if not atleast

once a year, which according to the petitioner has not happened in the instant case for last many years. It is the further contention of the petitioner that he has been repeatedly approaching the respondent authorities by repeated representations for appropriate steps to be taken for promotion, which too have gone unattended for long.

3. The State counsel at the same time submits that the grievance of the petitioner if they have raised a dispute by way of a representation, the same shall be considered on its own merits in accordance with law.
4. Given the limited grievance that the petitioner has and also considering the submissions made by the counsel for the parties, the writ petition at this juncture stands disposed of directing the State Authorities to consider and decide the representations of the petitioner if they are pending consideration till date. The petitioner would be at liberty to make a fresh representation ventilating their grievance before the authorities, which may also be considered by the authorities. The authorities may consider holding of a D.P.C. for filling up of the post of Assistant Grade-III by way of promotion to the extent permissible under the Rules from among the class-IV cadre. Let an appropriate decision be taken within a period of 90 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge