

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4497 of 2021

1. Kejuram Thakur S/o Late B.R. Thakur Aged About 49 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University , Raipur Chhattisgarh
2. Ramji Lal Mandavi S/o Late Phulsingh Mandavi Aged About 57 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
3. Rameshwar S/o Late Kashiram Aged About 53 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
4. Chaitram Kanwar S/o Anup Singh Kanwar Aged About 56 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
5. Smt. Dulari Thakur W/o Shri Nand Kumar Thakur Aged About 46 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
6. Ku. Duleshwari D/o Late Sudhir Kumar Aged About 46 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University , Raipur Chhattisgarh.
7. Jeevan Lal Sidar S/o Late Shyamlal Sidar Aged About 51 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
8. Raghuvir Singh Thakur S/o Shri Lakhan Lal Thakur Aged About 47 Years Presently Posted As Section Officer At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
9. Dhan Singh Gahirware S/o Late Motilal Gahirware Aged About 50 Years Presently Posted As Senior Superintendent, At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.
10. Shivlochan Singh Netam S/o Shri A.P. Netam Aged About 50 Years Presently Posted As Senior Superintendent, At Pt. Ravi Shankar Shukla University, Raipur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Higher Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur Chhattisgarh
2. Director Directorate Of Higher Education , Indrawati Bhawan, Naya Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Neeraj Choubey, Advocate.
For State	:	Mr. Amit Buxy, PL

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

26/08/2021

1. Grievance of Petitioners in the present Writ Petition is the inaction on the part of Respondents in convening the DPC for filling up of the posts of Assistant Registrar from among the feeder cadre of Section Officer/Superintendent.
2. Learned Counsel for Petitioners further submits that Respondents have now initiated recruitment process for filling up of the posts of Assistant Registrar by way of direct recruitment from the vacancies that are reserved to be filled up by way of direct recruitment. All the petitioners have become eligible for the post of Assistant Registrar long back and have all the requisite eligibility criteria and experience for being promoted to the post of Assistant Registrar and in terms of the rules only 5 years experience on the feeder post is required for promotion to the post of Assistant Registrar which all the petitioners have. However, only on account of not holding of the DPC the petitioners are being deprived of their right to be considered for promotion to the post of Assistant Registrar.
3. Learned Counsel for Petitioners further submits that Respondents have now initiated recruitment process for filling up of the posts of Assistant Registrar by way of direct recruitment from the vacancies that are reserved to be filled up by way of direct recruitment. The apprehension of Petitioners is that in the event of the Petitioners not being considered for promotion at this juncture and if the recruitment by way of direct recruitment is permitted to the posts of Assistant Registrar, their seniority on the post of Assistant Registrar may get adversely affected which can also have an adverse effect on their future promotional avenues that were there.

4. At this juncture, learned Counsel for Petitioners submits that let the Writ Petition be disposed of directing the Respondents to consider holding of DPC at the earliest for filling up of the posts of Assistant Registrar, which are lying vacant for the last many years.
5. Given the limited grievance that Petitioners have, learned Additional Advocate General submits that let the Writ Petition be disposed of directing the Respondents to take an appropriate decision in this regard.
6. Given the entire facts and circumstances of the case, particularly taking into consideration the submissions of learned Counsel for Petitioners that the posts of Assistant Registrar are lying vacant for quite sometime and for the last many years the DPC has not been convened, the present Writ Petition at this juncture is disposed of directing the Respondents to take an appropriate decision for convening the DPC in accordance with the rules and regulations governing the field, at the earliest, preferably within a period of 90 days from the date of receipt of copy of this Order. The decision to be taken by the Respondents would be subject to there being availability of vacancies.
7. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit