

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.1347 of 2013

Kriparam Sonkar, aged about 53 years, S/o Shri T. Sonkar, working as Assistant Grade-I, College of Veterinary Science and Animal Husbandry, Anjora, Police Station Pulgaon, Civil and Revenue District Durg (C.G.)

---- Petitioner

Versus

1. Chhattisgarh Kamdhenu University, through its Registrar, Anjora, Durg, presently Camp at Dairy Technical College, Krishak Nagar, Police Station Telibandha, Civil and Revenue District Raipur (C.G.)
2. Vice Chancellor, Chhattisgarh Kamdhenu University, Anjora, Distt. Durg, presently Camp at Dairy Technical College, Krishak Nagar, Police Station Telibandha, Civil and Revenue District Raipur (C.G.)
3. Dean, College of Veterinary Science and Animal Husbandry, Anjora, Police Station Pulgaon, Civil and Revenue District Durg (C.G.)

---- Respondents

For Petitioner: Mr. Ali Asgar, Advocate.

For Respondents No.1 and 2: -

Mr. Ramakant Mishra and Mr. Sharad Mishra, Advocates.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/09/2021

1. Mr. Ali Asgar, learned counsel appearing for the petitioner, would submit that though the petitioner was entitled to be promoted from the post of UDC to the post of Assistant Grade-I with effect from 19-7-2010, but he has not been granted promotion from that date and he has been granted promotion with effect from 31-5-2012 which is totally arbitrary, as the petitioner for the year 2007-08 has been granted Grade B (good) in his Annual Confidential Report, whereas in the departmental promotion committee (DPC) proceeding which has taken place, he has been shown to have secured Grade C (poor) and

therefore he has not been promoted in the DPC held in the year 2010 for which he has already made representation to the respondents which has not been considered and decided.

2. Mr. Sharad Mishra, learned counsel appearing for respondents No.1 and 2, would submit that the appointing authority of the petitioner is the respondent No.1 University and promotion proceeding has been conducted by the original University i.e. the Indira Gandhi Krishi Vishwavidyalaya and thereafter, new University i.e. respondent No.1 herein has been constituted, therefore, the Indira Gandhi Krishi Vishwavidyalaya could have been impleaded as party respondent in the present writ petition.
3. I have heard learned counsel for the parties and considered their rival submissions made herein-above and also went through the record with utmost circumspection.
4. True it is that the petitioner, as per record, was graded as Good (B) in the year 2007-08, but in the DPC proceeding held in the year 2010, he has been treated to have secured Grade C (poor) for 2007-2008 and therefore, it appears that the petitioner could not be promoted.
5. Be that as it may, the petitioner is permitted to submit a detailed representation to the respondent University highlighting his grievances and making the aforesaid submission made before this Court with regard to grading in the year 2007-2008 which will be considered by the competent authority in accordance with law within 45 days from the date of receipt of representation and appropriate order shall be passed in accordance with law. It is made clear that this Court has not expressed any opinion on the merits of the matter.
6. With the aforesaid observation and direction, the writ petition stands

finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma