

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4877 of 2021

Dr. Manish Kumar Rai S/o Shri Dhayal Kajur Aged About 53 Years R/o
House No. 665/2 Masjid Road, Kota, Ravishankar Shukla University
Raipur Chhattisgarh

---- Petitioner

Versus

1. Pandit Ravishankar Shukla University Raipur, Through Its Registrar,
Pandit Ravishankar Shukla University Raipur, District Raipur Chhattisgarh
2. Vice Chancellor Pandit Ravishankar Shukla University Raipur, District
Raipur Chhattisgarh

---- Respondents

For Petitioner : Mr. Manoj Paranjpe, Advocate.

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

14/09/2021

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not opening the sealed envelope in respect of the recommendations made by the DPC that was convened for promotion to the post of Professor on 08.11.2012.
2. From the pleadings what is reflected is that there was an issue raised in respect of the social status of the petitioner is concerned and matter was subjudiced before the High Powered Caste Scrutiny Committee constituted by the State. The High Powered Caste Scrutiny Committee had cancelled the caste certificate issued in favour of the petitioner vide its order dated 06.07.2010. The petitioner thereafter challenged the order of the High Powered Caste Scrutiny Committee by way of a writ petition under Article 226 before this Court vide WPS No.3433/2010. The writ petition finally now stands allowed vide order dated 27.07.2021 and order

of the High Powered Caste Scrutiny Committee has been set aside/quashed. Meanwhile, DPC that was convened on 08.11.2012 after considering the claim of the petitioner for promotion to the post of Professor had placed the recommendations in a sealed cover and the Committee made an endorsement while recommending the cases of the other candidates. So far as case of the petitioner is concerned, sealed envelope shall be opened subject to the outcome of the pending writ petition before the High Court. Now that the pending dispute before the High Court stands decided in favour of the petitioner vide order dated 27.07.2021 whereby the findings of the High Powered Caste Scrutiny Committee has been quashed by this Court, as a natural consequence the sealed cover procedure has now to be opened. The petitioner seems to have approached respondent no.2 for opening of the same but till date no decision on the same has been taken.

3. Given the limited grievance that petitioner has the writ petition at this juncture stands disposed of directing the respondent no.1 & 2 to ensure that the sealed cover proceedings initiated against the petitioner way back on 08.11.2012 in the light of the outcome of the writ petition preferred by the petitioner recently decided in his favour on 27.07.2021 needs to be opened.
4. Let an appropriate decision in this regard be taken by respondent no.1 at the earliest preferably within a period of 60 days from the date of receipt of copy this order.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge