

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5249 of 2021**

1. Umashankar Sahu S/o Late Radhelal Sahu Aged About 50 Years Working As Peon, Janapad Panchayat (Chhuikhadan) District Rajnandgaon, Chhattisgarh  
--- Petitioner

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Nawa Raipur Atal Nagar, Naya Raipur, Chhattisgarh 492002
2. Collector, District Rajnandgaon, Chhattisgarh
3. C.E.O. Jila Panchayat Rajnandgaon, District Rajnandgaon, Chhattisgarh  
---- Respondents

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| For Petitioner | : | Mr. Tanuj Patwardhan, Advocate. |
| For State      | : | Mr. Ayaz Naved, Govt. Advocate  |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****29.09.2021**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the petitioner for promotion from the post of Peon Class-IV to the post of Assistant Grade-III, which is a class -III post.
2. Counsel for the petitioner submits that the petitioner has been working with the respondents since 1995 in the Class-IV cadre and he has all the requisite eligibility criteria for being promoted to the post of Assistant Grade-III. However, the respondents are not considering his claim.

3. Counsel for the petitioner further submits that at the place where the petitioner is presently working i.e. at Chuikhadan, there is a post of Assistant Grade-III available and the petitioner can be considered for being promoted to the said post.
4. The State Counsel however submits that the claim of the petitioner can be considered only in case if he is at Sr. No. 1 in the seniority or at the top of the seniority whereas the list published along with the writ petition would show that the name of the petitioner is quite below in the seniority list and there are people of same category placed over and above the petitioner and who may have a chance for being considered ahead of the petitioner.
5. Be that as it may, considering the fact that the counsel for the petitioner submits that there is a vacancy available of Assistant Grade-III under the respondents, subject to the petitioner fulfilling the eligibility criteria and also meeting the other requisite essential criteria including that of seniority, let the respondents consider the claim of the petitioner for being promoted on the vacant post of Assistant Grade-III to be filled up by way of promotion from among the class-IV category employees working in the department. Let an appropriate decision be taken in this regard by the respondents No. 2 & 3 within an outer limit of four months from the date of receipt of copy of this order.

The writ petition accordingly stands disposed of.

Sd/-

**P. Sam Koshy**  
**Judge**