

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5077 of 2021

1. Shatruhan Lal Sahu S/o Late Shri Banwali Ram Sahu Aged About 58 Years Occupation U.D.T. Government Middle School Khwasfadki, Block Manpur District Rajnandgaon Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, Naya Raipur, P.S. Abhanpur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Joint Director, Public Education Division- Durg, Office Of Joint Director, Public Education Division- Durg, Infront Of Jila Panchayat G.E. Road Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh
3. Madan Singh Mandavi Promoted Headmaster Middle School, Sitagaon, Block Manpur, District Rajnandgaon Chhattisgarh.

---Respondents

For Petitioner	:	Ms. Deepali Pandey, Advocate.
For Respondents	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22.09.2021.

1. Aggrieved by the promotion order issued by the respondents vide order dated 08.09.2021, the present writ petition has been filed.
2. The counsel for the petitioner submits that the persons whose names are placed at Serial Nos. 2&3 in the impugned order of promotion are juniors to the petitioner in the service as would be evident from the gradation list prepared by the department vide Annexure P/2 showing seniority as on 01.04.2020 where the name of these two persons clearly stand below the petitioner in the gradation list.
3. However, perusal of records would show that this petition has been filed immediately after the promotion orders have been issued without approaching the respondents by any objection that the petitioner has. Referring to Annexure P/3 the counsel for the petitioner submits that the

petitioner has already made a representation on 09.09.2021 to the respondent No.2 which however is pending consideration.

4. Given the said facts and circumstances of the case, the writ petition at this juncture stands disposed of directing the respondents No.1&2 to consider the representation of the petitioner in accordance with promotion policy and the rules governing the field and also taking note of the seniority of the petitioner in the gradation list. In addition, the petitioner is also at liberty to make a fresh representation to the respondents No.1&2 supported with all relevant documents in support of his contention and the respondents are expected to take a decision within a period of 60 days from the date of receipt of fresh representation.
5. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder