

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5341 of 2021**

Vinod Kumar Ratre S/o Balram Ratre, Aged About 39 Years, R/o Sakri Road, Behind Atal Awas, M.G. Green House Uslapur, Post Sakri, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Home Department, Mahanadi Bhawan, Atal Nagar, Mantralaya, New Raipur, District Raipur, Chhattisgarh
2. Inspector General Of Police, Office Of Inspector General Of Police Jagdalpur, District Bastar, Chhattisgarh
3. Superintendent Of Police, Beejapur, District Beejapur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ravipal Maheshwari, Advocate
For State	:	Mr. Amrito Das, Addl. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24.09.2021**

1. The present writ petition has been filed challenging and questioning the action on the part of the respondents in declaring the petitioner ineligible for participating in the promotion process for promotion from the post of Constable to the post of Head Constable.
2. The petitioner has been declared ineligible on the ground that the petitioner in recent past was inflicted with an order of punishment dated 30.03.2019 whereby there was a punishment of stoppage of one increment with cumulative effect. The departmental appeal preferred by the petitioner has also been rejected on 14.05.2019.

Thereafter the petitioner has not questioned the punishment order and the order passed by the appellate authority thus has attained finality.

3. That under the rules governing the field, a person who has been inflicted with a major punishment in preceding 5 years from the date of initiation of promotion process, would not be eligible for participating in the promotion process. The petitioner falls within that category and therefore he was declared ineligible.
4. Given the said facts and the rules and regulations governing the field, particularly since the punishment order was passed just about two years back, this Court does not find any strong case made out by the petitioner for issuance of any writ or direction to the respondents for permitting the petitioner to participate in the promotion process. The writ petition accordingly stands rejected.

**Sd/-
(P. Sam Koshy)
Judge**