

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 397 of 2021**

Om Prakash Verma S/o Manbodh Verma, Aged about 62 years, R/o Shanti Vihar Colony, Mahadev Ghat Road, Dangania, Raipur

---- Appellant**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of General Administration, Mantralaya, DKS Bhawan, Raipur, Chhattisgarh.
2. The Department of Revenue, Through the Secretary, Mantralaya, DKS Bhawan, Raipur, Chhattisgarh.

---- Respondents

(Cause Title taken from Case Information System)

For Appellant	: Mr. Kishore Bhaduri, Senior Advocate assisted by Mr. Sabyasachi Bhaduri, Advocate.
For Respondents	: Mr. H.S.Ahluwalia, Deputy Advocate General.

Hon'ble Mr. Arup Kumar Goswami, Chief Justice**Hon'ble Mr. N.K.Chandravanshi, Judge****Judgment on Board****Per Arup Kumar Goswami, Chief Justice****08/12/2021**

Heard Mr. Kishore Bhaduri, learned senior counsel for the appellant as well as Mr. H.S.Ahluwalia, learned Deputy Advocate General for the respondents.

2. This appeal is presented against an order dated 05.08.2021 passed by the learned Single Judge in Writ Petition (S) No. 3959 of 2009. The order of the learned Single Judge reads as follows:

“1. Learned counsel for the petitioner would submit that though the petitioner has been promoted to the post of Deputy Collector on 14.02.2005, but he is

entitled for promotion since the year 1998/ 2002. The petitioner has also made representation to the respondent authorities in this regard, but the same has not been considered and decided till date.

2. Learned State counsel would submit that the petitioner's representation will be decided expeditiously.

3. Be that as it may, the respondent No.1 is directed to consider and decide the petitioner's representation by a reasoned and speaking order within a period of 2 months from the date of receipt of copy of this order.

4. With the aforesaid observation and direction, the writ petition stands disposed of. No order as to cost(s).

5. The petitioner is at liberty to make additional representation within 3 weeks from today.

6. It is made clear that this Court has not expressed any opinion on the merits of the case.”

3. The writ appeal was preferred on 27.11.2021.

4. Mr. Ahluwalia submits that pursuant to the order of the learned Single Judge dated 05.08.2021, an order was passed on 24.09.2021 rejecting the request of the appellant for consideration of his case for promotion with effect

from 1998/2002. Mr. Ahluwalia further submits that it appears from the order that the copy of the aforesaid order has not been served upon the appellant. It is also submitted that he has furnished a copy of the order to Mr. Bhaduri.

5. A perusal of the order dated 24.09.2021 goes to show that though copy of the order was forwarded to a number of persons, copy was not forwarded to the appellant.

6. It is not understood why a copy of the order dated 24.09.2021 was not forwarded to the appellant, though he is virtually interested in the outcome of consideration of his request. Henceforth, the authorities will ensure that copy of order disposing representation shall be forwarded to the person, who had submitted the representation.

7. Since the order dated 24.09.2021 has already been passed, the writ appeal has been rendered infructuous.

8. Accordingly, while disposing of the writ appeal as infructuous, liberty is reserved to the appellant to assail the order dated 24.09.2021 in accordance with law.

Sd/-
(Arup Kumar Goswami)
CHIEF JUSTICE

Sd/-
(N.K.Chandravanshi)
JUDGE