

HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (SERVICE) NO. 5076 OF 2020

- Smt. Neha Shukla, W/o Ashish Shukla, aged about 40 years, R/o Assistance Grade-II, Directorate Food, Civil Supply and Consumer Protection, Block-2, Third Floor, Indirabati Bhavan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.

... Petitioner

versus

1. State of Chhattisgarh, through the Principal Secretary, Food and Civil Supply Department Mahanadi Bhavan, Mantralaya Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Director, Food, Civil Supply and Consumer Protection, Block-2, Third Floor, Indirabati Bhavan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
3. Yuvraj Sahu, AG-I, R/o Assistance Grade-II, Directorate Food, Civil Supply and Consumer Protection, Block-2, Third Floor, Indirabati Bhavan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.

... Respondents

For Petitioner	:	Mr. T.K. Jha, Advocate.
For Respondents/State	:	Mr. Amit Buxy, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/01/2021

1. Grievance of Petitioner in the instant case is the promotion order dated 10.6.2020 arising out of a Departmental Promotion Committee that was held on 4.6.2020 in respect of promotion from the post of Assistant Grade-II to Assistant Grade-I.
2. According to learned Counsel for Petitioner, the Petitioner is senior to Respondent No.3 and that there was no ineligibility as such which would have come in the way for non-consideration of her claim for promotion. Learned Counsel for Petitioner submits that the criteria for promotion to Class-II and Grade-III is seniority-cum-suitability and admittedly the Petitioner was senior to Respondent No.3 and that there was no punishment order in operation on the date when the Departmental Promotion Committee was convened and therefore non-consideration of Petitioner is not proper, legal and justified.
3. Learned Counsel for Petitioner further submits that as of now the grievance of Petitioner would get redressed if the representation which the Petitioner has made to Respondent No.1 be decided at the earliest.

4. The said limited prayer made by learned Counsel for Petitioner is not opposed by learned State Counsel.

5. Accordingly, the present Writ Petition is disposed of directing Respondent No.1 to decide the representation of Petitioner, on its own merits, in accordance with law, by passing a speaking order, at the earliest, preferably within a period of ninety days from the date of receipt of copy of his order, and a copy of the same be sent to Petitioner positively.

6. Writ Petition accordingly stands disposed of.

/Sharad/

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