

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 5096 of 2020**

1. Anil Kumar Banaj S/o Shri Manbodh Singh Aged About 50 Years R/o Rawatpura Sarkar Colony, Near Sahu Kirana Store, Math Purena, Raipur, District- Raipur, Chhattisgarh ----- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through- Secretary, Cooperative Department, Mantralay, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Chhattisgarh
2. Registrar, Cooperative Societies, Chhattisgarh, HOD Office, Indravati Bhawan, Atal Nagar, District- Raipur, Chhattisgarh
3. Suresh Kumar Painkra, Assistant Registrar, Office Of Deputy Registrar, Cooperative Societies, Ambikapur, Sarguja, Chhattisgarh,
4. Vijay Kumar Uike Assistant Registrar, On Deputation- General Manager, Maa Mahamaya Cooperative Sugar Factory Ltd. Ambikapur ( Kerta) Sarguja, Chhattisgarh,
5. S.P. Kosariya, Assistant Registrar, Office Of Registrar, Cooperative Societies, Nawa Raipur, Chhattisgarh ----- **Respondents**

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| For Petitioner | : | Mr. Anchal Kumar Matre, Advocate |
| For State      | : | Mr. Vikash Shrivastava, P.L.     |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****12.01.2021**

1. The grievance of the petitioner in the present is to the erroneous seniority list showing the respondents No. 3 to 5 over and above the petitioner in-spite-of the fact that the petitioner was senior. The Petitioner had already made a representation objecting to the erroneous seniority list published by the Department.

2. Pending consideration of his objections, the respondent No. 1 vide order dated 19.10.2020 had issued a promotion order promoting the private respondents No. 3 to 5 on the post of Assistant Registrar, which has led to filing of the present writ petition and it was filed as early as on 25.11.2020.
3. Today, when the matter is taken up for hearing, counsel for the petitioner submits that vide order dated 23.12.2020 the respondents have accepted the objection filed by the petitioner in-respect-of the erroneous seniority and have ordered for the revised seniority list wherein the petitioner has been placed over and above the private respondents 3 to 5 in the seniority list by adding the name of the petitioner at serial No. 4 A and the private respondents' no 3 to 5 have been placed at serial No. 5 to 7 as such from the revised seniority list the petitioner stands admittedly placed senior to the private respondents 3 to 5.
4. Under the given circumstances, it now has to be reconsidered by the respondents No. 1 and 2 as regards the granting of promotion to the petitioner at par with the respondents No. 3 to 5 and by granting the petitioner seniority over and above the private respondents on the promoted post by virtue of the petitioner being senior to the others.
5. In the light of the subsequent development that is the order issued by the Department on 23.12.2020, this Court at this juncture would like to dispose of the writ petition with a direction to the respondents No. 1 & 2 to decide and reconsider the claim of promotion made by the petitioner on the post of Assistant Registrar comparing his claim at par with the

promotion issued to the respondents No. 3 to 5 and also consider the claim of the petitioner of granting him seniority over and above the respondents No. 3 to 5 while granting the promotion order. The respondents are expected to decide the same within a period of 90 days, it is expected that the respondents shall also take into confidence the private respondents No. 3 to 5 before passing any fresh order,

**6.** The writ petition accordingly stands rejected.

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