

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5378 of 2020**

Sabyasachi Kar S/o Dr. Sisir Kar Aged About 49 Years R/o C/o Shri B. R. Jagtap 621, Sundar Nagar Near Ring Road, Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Relations Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Chhattisgarh Samvaad Through The Chief Executive Officer, Sector 19 North Block, Behind ANNRVP Office, Kayabandha, Naya Raipur District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shantam Awasthi, Advocate
For State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order on Board

20/01/2021

1. The petitioner through the present writ petition has claimed for two fold reliefs, firstly for getting a confirmation on the post of Publishing Expert under the respondents, on which post he has been appointed on 04.10.2001 and since then he is working against the said post. The persons, who were appointed along with the petitioner have in due course of time got confirmed on the said post w.e.f. 28.01.2014.
2. The second relief sought for by the petitioner is for considering him for promotion to the post of Manager (Publication), for which the petitioner has completed the minimum eligibility criteria and the experience required for the said post.

3. The counsel for the petitioner submits that perhaps his claim for conformation was not considered along with the colleagues of the petitioner for the reason that there was a writ petition in the nature of quo-warranto which was filed by one Mohan Mishra Mrityunjay and the said writ petition finally got dismissed vide order dated 11.12.2015. Thereafter there does not appear to be any further impediment on the part of the respondents to consider the claim of the petitioner for confirmation, at par with the person who have been confirmed vide order dated 23.01.2014, some of whom are the persons, who have been appointed along with the petitioner.
4. So far as the question of promotion is concerned, since the petitioner as on date is not even a confirmed employee under the respondents on the post of Publishing Expert. The question of subjecting the petitioner for consideration for promotion to the post of Manager (Publication) may not arise. The petitioner has to be first confirmed on the post and thereafter he can have a claim for promotion subject to his fulfilling the requisite eligibility criteria.
5. Given the said facts, the writ petition at this juncture stands disposed of directing the respondent No.2 to consider the claim of the petitioner for conformation on the said post of Publishing Expert at the earliest preferably within a period of 60 days from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge