

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 433 of 2021

1. Suresh Kumar Anant S/o Roopchand Anant, Aged About 41 Years R/o New Police Line, Sukma, District Sukma Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh, Through Secretary, Department Of Home, Mahanadi Bhawan, Mantralaya New Raipur Chhattisgarh.
2. Inspector General Of Police, Bastar Range, Jagdalpur, District Jagdalpur Chhattisgarh.
3. S.P. Sukma, District Sukma, Chhattisgarh.
4. Dinesh Kumar Vastrakaar, Head Constable No. 179, Through S.P. Sukma, District Sukma Chhattisgarh.

---Respondents

For Petitioner	:	Shri Yogeshwar Sharma, Advocate.
For State	:	Shri Amit Buxy, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.02.2021

1. The grievance of the petitioner in the present writ petition is the denial of promotion inspite of being qualified, competent and eligible.
2. The facts of the case is that the petitioner is working under the respondents on the post of Constable since 2007 and is posted at Sukma district. In the year, 2016 promotion process was initiated for promotion from the post of Constable to the post of Head Constable. The petitioner participated in the said promotion process and found eligible, however, abruptly it is alleged that the respondent No.4 Dinesh Kumar Vastrakaar has been promoted superseding the petitioner. The petitioner made a representation in this regard and at the behest of the higher authorities in the department an enquiry was also conducted by the Deputy Superintendent of Police, Sukma and the Deputy Superintendent of Police vide report dated 25.07.2020 has held that the petitioner was also eligible for promotion and that the petitioner also was senior to the respondent

No.4 more than an year. However, thereafter there does not seem to be any further development that has occurred on the basis of the said enquiry report of the Deputy Superintendent of Police, Sukma.

3. Given the limited grievance that the petitioner has and also taking note of the enquiry report of the Deputy Superintendent of Police, Sukma, dated 25.07.2020, this court is of the opinion that the interest of justice would be served if the respondents No.2&3 are directed to look into the grievance of the petitioner keeping in view the report submitted by the Deputy Superintendent of Police, Sukma on 25.07.2020 and an appropriate decision be taken in accordance with rules governing the field at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
4. In case if the petitioner is found eligible then appropriate orders should be passed promoting the petitioner from the post of Constable to the post of Head Constable along with respondent No.4 forthwith.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge