

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 241 of 2021

1. Kamaleshwar Patel S/o Kunj Ram Patel Aged About 32 Years Presently Posted As- Training Officer (Welder) Government ITI Dabhra, District- Janjgir-Champa, R/o Kahrapara, Jutemill, District- Raigarh (C.G.), District : Raigarh, Chhattisgarh
2. Praful Kumar Shah S/o Kamta Prasad Shah Aged About 34 Years Presently Posted As-Training Officer (It And ESM) Government ITI Kurud, District- Dhamtari C.G. Village- Darrabhatha, Post - Mudpar, Tehsil- Masturi, District- Bilaspur (C.G.), District : Bilaspur, Chhattisgarh
3. Set Prakash Yadav S/o Kanhaiya Lal Yadav Aged About 33 Years Village- Amleshwar, Block- Patan, Opposite Green Earth City, District- Durg (C.G.) Presently Post- Training Officer (Fitter), Govt. ITI Kunkuri, District- Jashpur C.G., District : Jashpur, Chhattisgarh
4. Nisha Verma D/o Gulab Dev Nayak Aged About 34 Years H. No. 54/1310, Pallavi Vihar Rohinipuram, Tehsil- Raipur, District- Raipur (C.G.) Presently Post- Training Officer (WCS And ED), At Govt. ITI Mana C.G., District : Raipur, Chhattisgarh
5. Preeti Shrivastava D/o Rakesh Kumar Shrivastava Aged About 31 Years MIG- 700, Near Anmol Hardwere, Sector 02, Deen Dayal Upadhyay Nagar, Raipur, District- Raipur (C.G.). Presently Post- Training Officer (Fitter) At Govt. ITI Mana C.G., District : Raipur, Chhattisgarh
6. Shradha Gupta D/o Kamal Narayan Gupta Aged About 34 Years Q. N. H-17, Sai Vatika Colony Devpuri Raipur, District- Raipur (C.G.) Presently Post- Training Officer (Electrician) At Govt. ITI Mana C.G., District : Raipur, Chhattisgarh
7. Mamta Banjare W/o Uttam Prasad Banjare Aged About 35 Years Village- Ganshivadheeh, Pucheli, Mungeli, Tehsil- Parhariya, District- Mungeli (C.G.) Presently Post- Training Officer (Copa) At Govt. ITI Tedesara Rajnandgaon C.G., District : Rajnandgaon, Chhattisgarh
8. Hemeshwari Sonwani D/o Bishnu Das Sonwani, Aged About 35 Years HIG B12, Janta Colony Lakholi Rajnandgaon, Tehsil- Rajnandgaon, District- Rajnandgaon (C.G.) Presently Post- Training Officer (Wcs And Ed) At Govt. Iti Kurud C.G., District : Dhamtari, Chhattisgarh
9. Neetu Deshlahare D/o Kanak Ram Deshlahare Aged About 35 Years H.N. 382/kh, Tilak Ward No. -7 Berla, Tehsil- Berla, District- Bemetara (C.G.), Presently Post- Training Officer (Copa) At Govt. ITI Dhamdha C.G., District : Dhamtari, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Man Power Planning Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (C.G.), District : Raipur, Chhattisgarh
2. Director Directorate Of Employment And Training, Indrawati Bhawan Block 4 First Floor, Naya Raipur, Atal Nagar, District- Raipur (C.G.), District : Raipur, Chhattisgarh

---Respondents

For Petitioner	:	Shri Faisal Akhtar, Advocate.
For State	:	Shri Kapil Maini, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03.02.2021.

1. The grievance of the petitioners in the present writ petition is the inaction on the part of the respondents in not holding the DPC for promotion to the post of Training Superintendent from the post of Training Officer.
2. According to the petitioners, they are candidates who are graduates in engineering and were appointed as Training Officer in the year 2013. Under the promotion Rules for an engineering degree holder, the promotion to the post of Training Superintendent requires six years of service experience as compared to seven years which is required for diploma holder and eight years for ITI holder. The petitioners, since they have completed six years of service, have become eligible for promotion.
3. According to the petitioners, there is also sanction vacant posts available with the Department and for which the DPC has not been convened for last many years.
4. According to the petitioners, let the respondents be directed to consider the claim of the petitioners for promotion in accordance with

the Rules governing the filed and also keeping in view Rule 6 (4) of the Chhattisgarh Public Services (Promotion) Rules 2003.

5. The said request made by the Counsel for the Petitioner is not opposed by the State Counsel.
6. Accordingly, the writ petition is disposed of directing the respondent-authorities to consider the claim of the petitioner for promotion by holding a suitable DPC in accordance with Rules at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha