

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 193 of 2021**

1. Poonam Mishra W/o Aashish Kumar Mishra Aged About 42 Years R/o H.No. 18, Kalia Bag, Rajkishore Nagar, Bilaspur (Chhattisgarh)
2. Sumit Lahre S/o Sadhram Lahre Aged About 34 Years R/o Plot No. 264, Vivekanand Nagar, Mopka Bilaspur (Chhattisgarh)
3. Nagendra Kumar Sen S/o Shri Lekhanram Sen Aged About 32 Years Ro/ T 137/1, Mordal ITI Campus, Koni Bilaspur (Chhattisgarh)
4. Chunni Lal Sahu S/o Hari Ram Sahu Aged About 31 Years HIG-II/48, Atal Vihar, Parsada Kumhari, Distt.- Durg (Chhattisgarh)

---- Petitioners**Versus**

1. The State Of Chhattisgarh Through The Secretary, Department Of Employment, Mantralaya, Mahanadi Bhawan, Atal Nagar, Police Station-Rakhi, New Raipur, District Raipur (Chhattisgarh)
2. Director Directorate, Employment And Training, Indravati Bhawan, Block No. 4, New Raipur, Atal Nagar Raipur (Chhattisgarh)
3. Adarsh Industrial Training Institute Through Its Principal, Adarsh Industrial Training Institute Koni Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Rahul Tamaskar, Advocate
For State	:	Ms. Hamida Siddqui, Dy. AG

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/02/2021**

1. The grievance of the petitioners in the present writ petition is the inaction on the part of the respondents in not considering the claim for promotion of the petitioners from the post of Training Officer to the post of Training Superintendent/Technical Assistant.

2. The contention of the petitioners is that they were working on the post of Training Officer since 2013 and they have completed requisite length of service required for the next promotion i.e. the promotion to the post of Training Superintendent/Technical Assistant. Counsel for the petitioner further submits that till the new rules were introduced by the department in the year 2019 there was no requirement by the petitioners and the persons who are working on the post of Training Officer to undergo the CTI Training for promotion and the said requirement has been inserted only by the new rules of 2019. Contention of the petitioners is that subject to the respondents releasing the petitioners to undergo the said training they are ready to obtain the said requisite requirement which would enable them to obtain promotion.
3. Meanwhile, counsel for the petitioner drew the attention of this Court to the similar promotion orders issued by the same department whereby the promotion orders have been issued with a condition that concerned candidate would have to clear the CTI Training within a period of two years from the date of order of promotion. Counsel for the petitioners submits that respondent authorities are neither issuing the said promotion orders nor are they sending the petitioners to undergo CTI Training which would make the petitioners eligible for promotion. Further contention of the petitioners is that the rules also envisages conducting of departmental examination for the purpose of promotion which also for many years the department has not undertaken. He further submits that since the petitioners have already approached by way of detailed representations, let respondent no.1 & 2 take an appropriate decision on the claim of the petitioner for promotion from the post of Training Officer to the post of Training Superintendent/Technical Assistant.
4. This limited prayer is not opposed by the State counsel.

5. Accordingly, the writ petition at this juncture stands disposed of directing the respondent no.1 & 2 to consider and decide the representation of the petitioners at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
6. The petitioner would also be at liberty to file a detailed fresh representation as well to the respondent no.1 & 2 in support of their contentions supported with all other relevant documents.
7. With the aforesaid observations, the present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit