

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 675 of 2021

Arvind Mishra S/o Late Shri Chandrabali Mishra, Aged About 50
Years R/o New Rajaswa Colony, Tahsil Chowk, Katghora, District -
Korba Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Secretary, Law And Legislative
Affairs Department, Mantralaya, Mahanadi Bhawan, Atal Nagar,
Nawa Raipur, District - Raipur Chhattisgarh.
2. The Registrar General, High Court Of Chhattisgarh, Bodri, District -
Bilaspur Chhattisgarh
3. The District And Sessions Judge, Korba, District - Korba
Chhattisgarh

---- Respondents

For applicant - Shri Dharmesh Shrivastava, Advocate.
For Respondent/State – Shri Arjit Tiwari, PL.
For respondent No.2 – Shri Shashank Thakur, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/12/2021

1. Heard on application for modification of the order dated 1/11/2021
passed in WPS No.6061/2021.
2. This court on 1/11/2021 has passed the following order:-

“1.Learned counsel for the petitioner who is working in District Court,
Korba submit that his right to be promoted was not considered,
therefore he has made a representation before Respondent No. 3
vide Annexure P-1 which may be directed to be considered.

2.Perused the documents.

3.Having considered the submission of the petitioner, it appears that
petitioner had made a representation before Respondent No. 3 vide
Annexure P-1 dated 05.02.2020. Taking into such fact, District and

Sessions Judge, Korba (Respondent No. 3) is directed to take into account such issue and shall decide the representation of the petitioner without any prejudice to the earlier records which exist in the file of the petitioner within outer limit of 3 months from the date of receipt of a copy of this order.

4. With the aforesaid observations, the present writ petition stands disposed off.”

3. Learned counsel for the applicant would submit that representation of the applicant has already been decided by the District Judge, therefore respondent No.2, Registrar General, High Court of Chhattisgarh may be directed to decide the representation as inadvertently on the earlier occasion this submission was made that the respondent No.3 District and Sessions Judge, Korba may be directed to decide the representation.

4. Taking into the facts of this case, no orders are passed on merits, it is only the prayer is made to change the authority to decide the representation. Accordingly, the order dated 1/11/2021 passed in WPS No.6061/2021 is modified to the extent if the representation is pending before the respondent No.2, Registrar General, High Court of Chhattisgarh, the same would be decided further within an outer limit of three months from the date of receipt of copy of this order.

5. Accordingly, MCC stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE