



NAFR

HIGH COURT of CHHATTISGARH, BILASPUR

WPS No. 3692 of 2023

Nartan Singh Dhruw S/o Ram Sohan Dhruw Aged About 58 Years
Working On The Post Of Cook At Government Tribal Boys Hostel Kui,
District - Kabirdham Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through - The Secretary, Department Of Tribal Welfare Mahanadi Bhawan, Atal Nagar, P.S. Rakhi, Naya Raipur, District - Raipur- Chhattisgarh.
2. The Collector, Department Of Tribal Welfare, Kabirdham, District - Kabirdham Chhattisgarh.
3. The District Co-Ordinator, Tribal Welfare Department Office Of Collectorate, Kabirdham, District Kabirdham Chhattisgarh
4. The Assistant Commissioner, Department Of Tribal Welfare Kabirdham, District - Kabirdham Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Pramod Shrivastava, Advocate
For State	:	Mr. Ravi Bhagat, Dy. Govt. Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

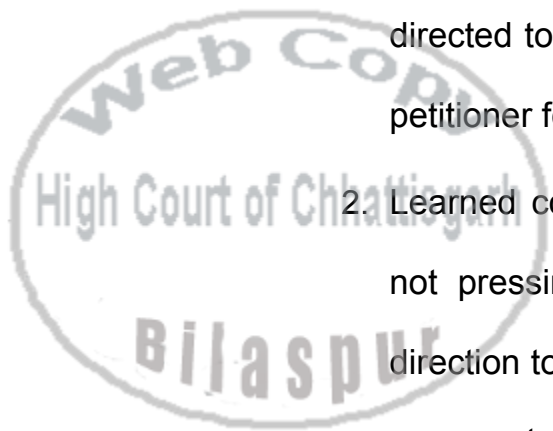
19/06/2023

1. Grievance of the petitioner is that the petitioner was initially appointed as Daily Wage Employee on the post of Cook. After completion of required period of service, petitioner was appointed as Contingency Paid Employee vide order dated 15.07.1993 and since then, he is continuously working as Cook. Petitioner has completed almost 32 years of service, however, he is not being given any promotion nor any benefit and instead



of promoting the petitioner, respondents have issued advertisement for fresh recruitment on the post of Peon. A representation was submitted by the Employee's Union on 17.04.2023 before Collector, Kabirdham, raising grievance of the employees. Petitioner has also submitted a representation before respondent No.4 on 04.01.2023 for his absorption in the regular post and further promotion. However, respondent-Collector has issued fresh advertisement for appointment on the post of Peon, which is arbitrary. He contended that in the aforementioned facts of the case, respondent authority be directed to consider and decide representation submitted by the petitioner for his absorption and promotion.

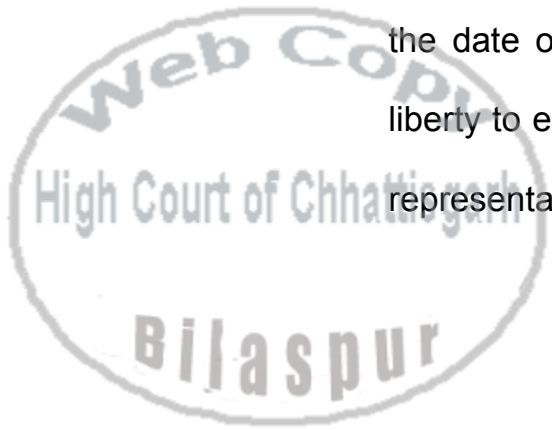
2. Learned counsel for the State submits that as the petitioner is not pressing this writ petition on merits and only seeking a direction to respondent authority to consider and decide pending representation, he is having no objection.
3. I have heard learned counsel for the parties and perused the documents placed along with writ petition.
4. Considering the nature of grievance raised in this writ petition submission of learned counsel for the petitioner that the petitioner vide Annexure P-5 has already submitted representation for his absorption in the Tribal Welfare Department and promotion on the post of Peon, I am inclined to direct respondent authority to consider and take decision on pending representation of the petitioner.
5. At this stage, learned counsel for the petitioner submits that the





petitioner may be permitted to submit fresh representation before respondent No.2/Collector raising his grievances and respondent -Collector be directed to take decision on his representation within specified time.

6. Considering the facts and circumstances of the case, this petition at this stage is disposed of permitting the petitioner to submit fresh representation before respondent No.2 raising all the grounds as raised in this writ petition and if such representation is submitted, respondent No.2 shall consider and decide representation within a further period of four months from the date of receipt of representation. Petitioner will also be at liberty to enclose copy of writ petition with annexures along with representation.



Sd/-

(Parth Prateem Sahu)

Judge

Praveen