



2026:CGHC:19165

NAFR**HIGH COURT of CHHATTISGARH AT BILASPUR****WPS No. 722 of 2022**

Irfan Ali S/o Late Sayyid Ahsan Ali Aged About 62 Years R/o Near Post office,
Rajendra Nagar, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

... Petitioner**versus**

1 - State of Chhattisgarh Through The Secretary, Department of Higher
Education, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

2 - Commissioner Higher Education, Directorate of Higher Education,
Indravati Bhawan, Nawa Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

3 - Principal, Government Agrasen College, Belha, District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh

4 - Shrimati Namita Kar, Hostel Superintendent, B.M.S. Government Pg
College, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari,
Chhattisgarh

5 - Y.K. Deepak, Hostel Superintendent, Government Kirori Mal Pg College,
Raigarh, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

6 - Sanjiv Kumar Shrivastava, Government J.P. Verma Pg Arts And Commerce
College, Bilaspur, District - Bilaspur Chhattisgarh., District : Bilaspur,
Chhattisgarh

7 - Sanjay Kumar Joshi, Government Bilasa Girls Pg College, Bilaspur, District
Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

8 - Vishnu Chandrakar, Government Dudhadhari Bajrang Pg Girls College,
Raipur, District Raipur Cg, District : Raipur, Chhattisgarh



9 - Rajesh Komalwar, Government Dau Kalyan Singh Pg College, Balodabazar, District Balodabazar Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

10 - Bhagatram Bhardwaj, Government N.E.S. Pg College, Jashpur Nagar, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

11 - J.P. Lashkar, Government Rajiv Gandhi Pg College, Ambikapur, District Ambikapur Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

... Respondent(s)

For Petitioner	:	Ms. Chetna Sharma, Advocate on behalf of Mr. Rajnish Singh Baghel, Advocate
For State	:	Mr. Vivek Siddharth Ojha, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

25/04/2026

1. The petitioner has filed this petition seeking the following relief:–

"10.i. To call for the records of related with issuance of impugned order (P-1) from the respondent no. 1 and 2, and

ii. Direct the respondent no.1 to 3 to promote the petitioner w.e.f. 01/05/2015 i.e. the day after petitioner completed 8 years of service of feeder post, by issuance of writ of mandamus or any other appropriate writ or orders or directions, And/Or

iii. Direct the respondent no. 1 to 3 to promote the petitioner w.e.f. 31/12/2021 over and above the respondent no.4 to 11 and for that if necessary quash the promotions of respondent no. 4 to 11, by issuance of writ of mandamus or any other appropriate writ or orders And/Or



iv. Grant any other order as the honourable court may deem fit in facts and circumstances of the case.”

2. Learned counsel appearing for the petitioner would submit that the petitioner, who is presently working on the post of Hostel Manager, was eligible for promotion to the post of Registrar (College). However, in the DPC convened on 12.11.2021, his name was not considered in absence of ACR for the year 2020. She would further submit that a direction may be issued to the respondent authorities to conduct a review DPC for promotion to the post of Registrar (College), and the petitioner may be granted promotion w.e.f. 31.12.2021 with all consequential benefits attached to the post.
3. On the other hand, learned State counsel appearing for the State would oppose the submissions made by counsel for the petitioner and submit that the ACR of the petitioner pertaining to the year 2020 was not available with the DPC; therefore, the petitioner’s name was not considered for promotion; thus, the petition deserves to be dismissed.
4. Heard.
5. In paragraph 4 of the return filed by the State, it is categorically stated that the ACR of the petitioner for the year 2020 was not available; therefore, his name was not considered for promotion to the next higher post, i.e., Registrar (College).
6. It is not in dispute that juniors to the petitioner were promoted to the post of Registrar (College) vide order dated 31.12.2021. Respondent No. 3 was under obligation to place the required ACRs of the petitioners before the DPC. As there was negligence



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on the part of the department itself, the petitioner cannot be made to suffer.

7. Accordingly, the respondent authorities are directed to convene a review DPC with reference to the DPC dated 12.11.2021 and consider the name of the petitioner for promotion to the post of Registrar (College).
8. The petitioner shall be granted all consequential benefits with effect from 31.12.2021.
9. In the result, the petition is **allowed**. No order as to cost.

Sd/-

Rakesh Mohan Pandey

JUDGE

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