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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1414 of 2024

1. Shyam Singh Nagwanshi S/o Lt. Shri Punit Ram Nagwanshi Aged About 45 Years R/o Village Ranitarai (Balod), Tehsil-Balod, Dist.- Balod, C.G.
2. Neelkamal Deshlahre S/o Shri Shivdayal Deshlahre Aged About 30 Years R/o Village Morid, Post- Dondera, Tehsil- Patan, Dist.- Durg, C.G.
3. Khileshwar Kumar Dhruw S/o Shri Santosh Kumar Dhruw Aged About 29 Years R/o Village- Dongaria, Post- Kesda, Tehsil- Simga, Dist.- Balodabazar-Bhatapara, C.G.

... Petitionerss

versus

1. State Of Chhattisgarh Through Secretary, Department Of Mineral Resources, Mahanadi Bhawan, Atal Nagar, Naya Raipur, C.G.
2. Under Secretary Department Of Mineral Resources, Mahanadi Bhawan, Atal Nagar, Naya Raipur, C.G.
3. Special Secretary Department Of Mineral Resources, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Cg.
4. Director Directorate Of Geology And Mining, Block-D, 1st And 2nd Floor, Indravati Bhawan, Naya Raipur, C.G.

... Respondents

WPS No. 11269 of 2025

1. Manish Sen S/o Shri Shyam Jee Sen Aged About 35 Years Posted As Sipali, R/o Adarsh Nagar, Urla, Ward No. 19, Kumhari, District Durg Chhattisgarh
2. Kamal Kishore S/o Sadhu Ram Aged About 32 Years Posted As Sipali, R/o House No. 255, Mahaveer Para, Village Dataud, Tahsil Jaijaipur, District Janjgir-Champa Chhattisgarh
3. Daneshwar Kumar S/o Janak Ram Aged About 34 Years Posted As Sipali, R/o Titurgahan, Post Basin, Tahsil Guru, District Balod Chhattisgarh

---Petitioner(s)

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Mineral Resources, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

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2. Director Directorate Of Geology And Mining, Block-D, First And Second Floor, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
3. Public Services Commission Through Its Secretary, Office At North Block, Sector-19, Atal Nagar Nawa Raipur, District Raipur Chhattisgarh

--- Respondent(s)

For Petitioners	:	Mr. Chitendra Singh, Advocate and Mr. Praveen Dhurandhar, Advocate
For Respondent-State	:	Ms. Anuja Sharma, Dy. Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

28/02/2026

1. Petitioner in WPS No. 1414/2024 has filed writ petition seeking following reliefs.

> "10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities consider the issue/demands raised as per the representation made in the year 2019 on which initiative was taken by Respondent No.4 as per Annexure P/3 Communication dated 23/09/2019 and Annexure P/5 Communication dated 05/09/2023 which is still pending before Respondent No.1 (Secretary, Department of Mineral Resources) within stipulated time period.
>
> 10.2 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioner together with cost of the petition."

2. Petitioner in WPS No. 11269/2025 has filed writ petition seeking following reliefs.

> "10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to promote the petitioners to the suitable posts.
>
> 10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to implement the recommendation dated 05-09-2023 (Annexure P-3).
>
> 10.3 That, this Hon'ble Court may kindly be pleased to set-aside the recruitment process for the post of Mining Inspector initiated by the advisement No.7/2022 dated 01-02-2022 to the extent of 50% posts.
>
> 10.4 That, the Hon'ble Court may kindly be pleased to grant any other relief, as it may deem-fit and appropriate."

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3. Learned counsels for petitioners submit that petitioners pursuant to the advertisement dated 02.05.2013 were appointed on the post of Sipahi (Class-IV) vide appointment order dated 21.04.2015 and since then they are working on the said post. After completion of requisite period of service, petitioners approached to the authorities for constitution of Departmental Promotion Committee (DPC) for conducting meeting and consideration of candidature of name of petitioners for promotion, it was informed that no promotional avenue is available for the post of Sipahi (Class-IV) under the Chhattisgarh (Geology and Mining Class-IV Service) Recruitment Rules, 2008. Pursuant to the repetitive demands made by the petitioner and other similar situated employees, Respondent No. 4 ie., Director, Directorate of Geology & Mining has made communication with Respondent No. 3 ie, Special Secretary, Department of Mineral Resources on 23.09.2019. Subsequently, demand of petitioners was forwarded to Respondent No. 2, ie., Under Secretary, Department of Mineral Resources who put certain queries, upon which further correspondence was made to Respondent No. 2 and thereafter Respondent No. 2 has processed the claim of petitioners with all relevant documents to Respondent No. 1 ie., Secretary, Department of Mineral Resources, Raipur, Chhattisgarh on 05.09.2023 and since then it is pending consideration before Respondent No. 1. It is also contention of learned counsel for petitioners that Respondent No. 4 in its letter has in fact made request to the authorities for removing the pay disparity and creating promotional post, which shows that action is to be taken at the end of Respondent no. 1

4. Learned State counsel submits that reply has been filed wherein pleadings made in the writ petition to the extent that the claim of petitioners has been forwarded to the higher authorities and pending before Respondent No. 1, has not been disputed. She submits that according to the pleadings made in

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the reply, it is appearing that on the date of filing of reply claim of petitioner is pending consideration before Respondent No. 1.

5. Claim of petitioner is that promotional avenue is not available to the petitioners and further there is disparity in pay, which is to be considered at the end of the State i.e. Respondent No.1. Proceedings in this regard has also been forwarded by Respondent No. 4 through Respondent no. 2, to Respondent No. 1 in the year 2023 and since last about two and a half year it is pending consideration in the office of Respondent No.1 .

6. In the aforementioned facts of the case, I find it appropriate to dispose of this writ petition directing Respondent No. 1 to consider the proceeding forwarded by Respondent No. 4 through Respondent No. 2 mentioning that there is disparity in pay and need for creation of promotional post and correction of name of post, at the earliest within a further period of 06 months from the date of receipt of order passed by this Court.

7. With the aforesaid observation and direction, these writ petitions are disposed of.

Sd/-

(Parth Prateem Sahu)

JUDGE

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