



2026:CGHC:4119

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2029 of 2024

Roshan Shrivas S/o Late Shiv Kumar Shrivas Aged About 33 Years R/o
Village Nevra Post Ganiyari Block Takhatpur District Bilaspur Chhattisgarh

... Petitioner(s)

versus

**1 - State Of Chhattisgarh Through Secretary, Department Of Public Health
Engineering Mahanadi Bhawan, Nava Raipur, District : Raipur, Chhattisgarh**

**2 - Engineer -In-Chief, Department Of Public Health Engineering (P.H.E), Atal
Nagar, Sector 19, Nawa Raipur District Raipur Chhattisgarh.**

**3 - Chief Engineer, Public Health Engineering (P.H.E), Durg Division, District
Durg Chhattisgarh.**

**4 - Chief Engineer, Public Health Engineering (P.H.E), Bilaspur Division,
Bilaspur, District : Bilaspur, Chhattisgarh**

**5 - Superintendent Engineer, Public Health Engineering (P.H.E), Durg
Division, District Durg Chhattisgarh.**

6 - Superintendent Engineer, Public Health Engineering (P.H.E), Bilaspur Division, District Bilaspur Chhattisgarh.

7 - Executive Engineer Bilaspur Public Health Engineering (P.H.E), Bilaspur District Bilaspur Chhattisgarh.

8 - Executive Engineer Bemetara, Public Health Engineering (P.H.E), Bemetara, District Bemetara Chhattisgarh.

9 - Iswar Lal Dewangan, AG-III, Posted At Office Of Executive Engineer Durg Chhattisgarh.

10 - Munna Lal Maikpuri AG-III Posted At Office Of Executive Engineer Kawardha Chhattisgarh.

... Respondent(s)

For Petitioner : Mr. Anshuman Shrivastava, Advocate

For State : Mr. Kalpesh Ruparel, Panel Lawyer

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

Order on Board

23/01/2026

1. Petitioner has filed this writ petition seeking following reliefs:

“10.1 That the Hon'ble Court may kindly be pleased to issue appropriate Writ(s)/Order(s)/Direction(s) to quash the placement of petitioner in the seniority list of Class IV Employees in the Durg Circle of Public Health Engineering Department (ANNEXURE P-2) wherein he has been placed below his juniors on account of his transfer from a different Circle on administrative grounds;

10.2 That the Hon'ble Court may kindly be pleased to issue appropriate Writ(s)/Order(s)/Direction(s) to declare promotion order (ANNEXURE P-1) as illegal as it has not considered the name of the petitioner and direct the respondents to convene review DPC considering the

name of the petitioner for promotion to the post of Assistant Grade-III in the Durg Circle of Public Health Engineering Department;

10.3 That the Hon'ble Court may kindly be pleased to issue appropriate Writ(s)/Order(s)/Direction(s) respondents to make a decision on the correction of seniority of the petition which is pending before it (ANNEXURE P-3);

10.4 That the Hon'ble Court may kindly be pleased to issue appropriate Writ(s)/Order(s)/Direction(s) to direct the respondents to grant consequential benefits along with interest @ 12% per annum to the petitioner;

10.5 Any other relief, which this Hon'ble Court may deem fit and proper according to the facts and circumstances of the case along with the cost of the petition.”

2. Learned counsel for the petitioner submits that petitioner is holding post of Peon. On 15.07.2010, petitioner was transferred from office of Executive Engineer (PHE) Division Korba, Circle Bilaspur to Water Recharging Sub-Division Bilaspur, PHE which is also within the Circle Bilaspur. Thereafter, petitioner was transferred to Project Sub Division - 3 (PHE) Bemetara, Circle Durg on 12.02.2015 and there, erroneously, petitioner has been kept at the bottom of gradation list of cadre. He contended that respondent authorities thereafter have initiated proceeding for promotion on the post of Assistant Grade-III in which name of petitioner could not be considered. Petitioner thereafter submitted representation and filed writ petition. During pendency of writ petition, respondents have rectified their mistake and have corrected gradation list as on 01.04.2025 and placed the petitioner at appropriate place i.e. above Rajendra Thakur and below Smt. Gendi Bai. He

submits that respondent authorities issued the order of promotion dated 03.02.2021 and have promoted 10 persons including Peon of Durg Circle as Assistant Grade-III. Petitioner is above in seniority to the persons already promoted as Assistant Grade-III, however, after fixing seniority of petitioner at appropriate place, no further proceeding of review DPC has been drawn.

3. Learned counsel for the State submits that respondents have also corrected gradation list considering the grievance of petitioner and have placed him at appropriate place and if petitioner is having further grievance of his eligibility for promotion on 03.02.2021 on the ground that juniors to petitioner in gradation list may have been promoted then petitioner is at liberty to submit representation and it will be considered in accordance with law.
4. I have heard learned counsel for the parties and also perused the documents annexed along with this writ petition.
5. Considering submission of learned counsel for the respective parties and further considering the document Ex.P-10 which is filed along with additional rejoinder whereby vide order dated 28.04.2025 name of petitioner has been placed at appropriate place in gradation list prepared by Department of Peon as on 01.04.2025 and further considering the submission that claim of petitioner is that he is further entitled for promotion by review DPC, this writ petition at this stage is disposed of permitting the petitioner to submit comprehensive representation along with all relevant documents before respondents No. 2 to 5 and if such a representation is submitted by petitioner, concerned respondents shall consider and take decision in accordance

with law, expeditiously, preferably within a period of 4 months from the date of receipt of representation.

Sd/-

(Parth Prateem Sahu)

Judge

Praveen