



2026:CGHC:3449

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2179 of 2023**

Smt. Annu Shrivastava S/o Late Mangal Prasad Shrivastava, Aged About 45 Years,
Working As Peon In Labour Court Rajnandgaon, District - Rajnandgaon, R/o
Tulsipar Rajnandgaon, District - Rajnandgaon (C.G.)

... Petitioner(s)**versus**

- 1** - State Of Chhattisgarh Through - Secretary, Department Of Labour, Mahanadi Bhawan, Atal Nagar, Raipur (C.G.)
- 2** - Chairman C.G. Industrial Court Raipur (C.G.)
- 3** - Registrar C.G. Industrial Court Raipur (C.G.)
- 4** - Presiding Officer, Labour Court, Rajnandgaon, District - Rajanandgaon (C.G.)
- 5** - Lal Bahadur Dhritlahre, Daftary Posted In Labour Court, Raigarh, District - Raigarh (C.G.)
- 6** - Tula Singh Thakur Daftary Posted In Labour Court, Jagdalpur, District - Bastar (C.G.)
- 7** - Ramchandra Kaushik Daftary Posted In Labour Court, Dhamtari, District Dhamtari (C.G.)
- 8** - Bediram Poya Daftary Posted In Industrial Court, Circuit Court, Bilaspur, District - Bilaspur (C.G.)

9 - Pradeep Kumar Yadav, Daftary Posted In Labour Court, Rajnandgaon, District - Rajnandgaon (C.G.)

... Respondent(s)

For Petitioner(s)	: Mr. KPS Gandhi, Advocate
For Respondent/State	: Mr. Anand Dadariya, Additional Advocate General
	None for other respondents

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

20/01/2026

1. By way of this petition, the petitioner is challenging the promotion order dated 9.1.2022 (Annexure P/1) issued by respondent No.2, whereby, respondents 5 to 9 were promoted to the post of Daftari despite being juniors to the petitioner.
2. Despite service of notice, no one appears on behalf of respondents 2 to 9.
3. The petitioner has filed this petition praying for the following relief(s) :
 - a. That, this Hon'ble Court many kindly to please to set aside the impugned promotion order dated 09/01/2022 Annexure P/1.
 - b. That this Hon'ble Court may kindly be pleased to issue a writ order or directions to the respondents authorities to considered the name of the petitioner for promotion on the post of Daftry or Assistant Grade III according to the promotion Rules 2010.
 - c. That this Hon'ble Court may also be grant any other relief as may deem fit by the Hon'ble Court as per the facts and circumstances of the case .

4. Necessary facts of the case are that the petitioner was appointed to the post of Peon in the office of Respondent No.4 on 15.12.2010. During her tenure, she also enhanced her educational qualifications with the prior permission of the concerned Department, which was also duly recorded in her service record. On 6.5.2022, respondent No.3 issued a provisional Gradation List (Annexure P/6) as on 1.4.2022, wherein the petitioner was placed at Sl. No.7, while Respondents 5 to 9 were placed at Sl. Nos.8, 9, 10, 11 and 12 respectively. Thereafter, a DPC was convened and the impugned promotion order dated 9.1.2022 was issued. Under the said order, the petitioner was not considered for promotion from the post of Peon to the post of Daftari, however, her juniors i.e. Respondents 5 to 9 were promoted. This action has arbitrarily deprived the petitioner of her rightful service benefit of promotion. Hence, this petition.
5. Learned counsel for the petitioner submits that the matter pertains to grant of promotion to the petitioner. The petitioner, presently a Class IV employee, is seeking promotion to a Class III post within the Department of respondents 2 to 4. He submits that a perusal of the the Gradation List (Annexure P/6) shows the petitioner at Sl. No.7, while respondents 5 to 9 are at Sl. Nos.8 to 12. He submits that the impugned order (Annexure P/1) reveals that respondents 5 to 9, who are junior to the petitioner, have been granted promotion, however, the petitioner has been denied the same. Consequently, there is no justifiable reason as to why the petitioner was denied promotion while her juniors were preferred.
6. Learned counsel for the State submits that they are only formal parties. However, on the basis of the documents annexed to the petition, it is

not disputed that the submissions advanced by learned counsel for the petitioner are in any way incorrect.

7. I have heard learned counsel for the parties and also perused the documents annexed with the petition carefully.
8. A bare perusal of the record reveals that without any assigned reason, respondents 5 to 9 have been promoted from the post of Peon to a Class-III post, while the petitioner, who ranks higher in seniority, has been denied promotion for the reasons best known to the respondent authorities.
9. Considering the aforesaid aspects of the matter and taking into account the provisions contained in the Chhattisgarh Labour Judiciary Class-III (Non-Gazetted) Service Recruitment Rules, 2010, it is observed that as per Schedule-IV, at Serial No. 6, the next promotional post for a Class-IV employee is that of Assistant Grade-III (A.G.-III) upon completion of five years of qualifying service. Since the petitioner has already completed the requisite period of five years of service, there appears to be no legal impediment in considering her case for promotion.
10. Accordingly, the concerned respondent authorities are directed to consider the petitioner's case for promotion to the post of AG-III/Daftari in accordance with the relevant rules and pass a reasoned and appropriate order within a period of 45 days from the date of receipt of a copy of this order.
11. With this observations/directions, the Petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)

Judge