



2026:CGHC:21366



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3956 of 2026

Dr. Manish Kumar Diwan S/o Shri Ganesh Dhar Diwan Aged About 61 Years Working As Assistant Professor, Govt. Naveen Sangeet College, Bilaspur, District- Bilaspur (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya Atal Nagar, New Raipur, District- Raipur (C.G.)

2 - The Under Secretary (Up- Sachiv) Department Of Higher Education, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur (C.G.)

3 - The Commissioner Department Of Higher Education, Government Of Chhattisgarh, Indravati Bhawan/ Directorate Of Higher Education, Atal Nagar, Naya Raipur, District Raipur (C.G.)

4 - The Principal Govt. Naveen Sangeet College, Bilaspur, District- Bilaspur (C.G.)

5 - Chhattisgarh Public Service Commission (Psc) Through Its Secretary, North Block, Sector- 19, Atal Nagar, Naya Raipur, District Raipur (C.G.)

... **Respondents**

(Cause title is taken from Case Information System)

For Petitioner : Mr. Goutam Khetrapal, Advocate



For Respondents/ State : Mr. Avinash Singh, Govt. Advocate
For CGPSC : Ms. Subhi Rusia, Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

07/05/2026

1. By the present writ petition, the petitioner is seeking following reliefs :-

“10.1 The Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby directing the respondents to decide the pending representation of petitioner dated 02.09.2025 (Annexure P/4), within stipulated period.

10.2 The Hon'ble Court may kindly be pleased to direct the respondents to immediately consider the petitioner for promotion to the post of Professor with all consequential benefits, including arrears of pay, seniority, and other retiral benefits.

10.3 The Hon'ble Court may kindly be pleased to pass such other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice.”

2. Learned counsel for petitioner submits that petitioner was not promoted on the post of Professor from the post of Assistant Professor considering the ACR which was not communicated to petitioner enabling him to made representation. He contended that respondents-authorities could not have taken into consideration ACR of petitioner which was not communicated at the time of consideration of his name for promotion. In support of his contention, he places reliance upon the case of ***Dev Dutt vs. Union of India reported in (2008) 8 SCC 725***. Petitioner has



submitted representation raising his grievance before Respondent No.1 on 02.09.2025 which is pending consideration and therefore at this stage he is not pressing this writ petition on merit and only seeking direction to consider and take decision on the representation at the earliest within specific time frame. He further submits that petitioner may also be permitted to submit fresh representation to be considered by the concerned authorities along with pending representation.

3. Learned counsel for respective respondents submit that in view of the limited prayer made by learned counsel for petitioner, they are having no objection.
4. On due consideration of the submission of learned counsel for the respective parties, this writ petition at this stage is disposed of permitting the petitioner to submit fresh comprehensive representation along with all relevant documents before Respondents No. 1 & 5 and if such a representation is submitted, concerned authority shall consider and take decision on the representation to be submitted by petitioner, in accordance with law, expeditiously, preferably within a further period of 02 months from the date of receipt of representation.
5. Accordingly, with the aforesaid observation and direction, this writ petition is disposed of.

Sd/-
(BIBHU DATTA GURU)
JUDGE