



2026:CGHC:18435



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5439 of 2022

- Aditi Wasnik W/o Dinkar Wasnik, D/o Late Sagar Gharde Aged About 39 Years Occupation - Service, Presently Working And Posted As Deputy Director (Finance), Chief Electoral Office, Old Mantralaya Premises, Ghadi Chowk, Raipur, District Raipur, Chhattisgarh, R/o New Rajendra Nagar, Raipur, District Raipur, Chhattisgarh.

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

1. State Of Chhattisgarh Through Secretary, Department Of Finance, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District Raipur, Chhattisgarh.
2. Director Treasury Account And Pension, Indrawati Bhawan, Atal Nagar Nawa Raipur, District Raipur, Chhattisgarh.

... **Respondent(s)**

For Petitioner	:	Mr. Malay Shrivastava, Advocate
For State	:	Mr. Anil Pandey, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

22.4.2026

- 1) By way of this petition, petitioner has sought following reliefs:-

10.1 That, this Hon'ble Court may kindly be pleased to direct the respondents to grant seniority to petitioner from 01/01/2019 over and above the juniors to the petitioner for the post of Deputy Director (Finance).



10.2 Any other relief(s)/ order(s)/ direction(s) in favour of petitioner, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.

10.3 Cost of the petition.

- 2)** Learned counsel for the petitioner submits that petitioner was appointed on the post of Accounts Officer vide order dated 20.8.2013 and her services were confirmed in the year 2015 after completion of probation period. He further submits that seniority list of Accounts Officer was published on 22.5.2020 wherein name of petitioner appeared at S. No. 175 and names of juniors to petitioner appeared at S. Nos. 176 to 186. He contends that respondent No. 1 issued promotion orders of Account Officers on 23.2.2021 whereby juniors to petitioner have been promoted to the post of Deputy Director (Finance) but name of petitioner was not considered. He fairly contends that petitioner has been promoted to the post of Deputy Director (Finance) vide order dated 30.3.2021 but petitioner is entitled for promotion from the date her juniors were promoted.
- 3)** On the other hand, learned State counsel submits that petitioner has already been promoted to the post of Deputy Director vide order dated 30.3.2021 and monetary benefits cannot be extended with retrospective effect according to Fundamental Rule 17. He further submits that this petition is misconceived and deserves to be dismissed.



4) I have heard learned counsel for the parties and perused the material available on record.

5) In the present case, ACR of petitioner for year 2017 was not found up to the mark, therefore her name was not considered for promotion. Petitioner has contended that she was not communicated the grade given in the ACR, therefore she could not make representation seeking its upgradation and it is well settled principle of law that it is the duty of the employer to communicate the ACR to every employee.

6) In view of the discussion made herein-above, at this stage this petition is hereby being disposed reserving liberty in favor of petitioner to prefer a representation within period of 30 days before Secretary, Department Of Finance, State of Chhattisgarh, who in turn is directed to consider and decide such representation by way of speaking order within a period of 90 days from the date of receipt of such representation, if so preferred by the petitioner.

7) With the aforesaid direction, this petition stands **disposed**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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