

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 9096 of 2022

- Jitendra Kumar Meshram S/o Pyarelal Meshram Aged About 57 Years working as Executive Engineer (Civil) and Posted at Chhattisgarh Gramin Sadak Vikas Abhikaran Kawardha, District Kawardha (C.G.)

-----Petitioner

VERSUS

- The State of Chhattisgarh through the Secretary, Department of Panchayat and Rural Development Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur (C.G.)

-----Respondent

20.12.2022	Mr. Ajay Shrivastava, Advocate for Petitioner. Mr. Sandeep Dubey, Dy. Adv. General for Respondent-State. Heard. Issue notice to Respondent. Learned State Counsel accepts notice on behalf of respondent, hence, process fee is not required to be paid for issuance of notice to respondent. He prays for and is granted three weeks' time to file reply. Also heard on I.A. No. 01/2022 which is an application for grant of interim relief. Learned counsel for petitioner submits that petitioner was promoted on the post of Assistant Engineer (Civil) <i>vide</i> order dated 25.02.2016. While working on the post of Assistant Engineer, petitioner again promoted on the post of Executive Engineer (Civil)

on 29.07.2022, since then petitioner was holding the post of Executive Engineer. Respondent-State issued an order dated 02.12.2022, whereby he has been reverted back to the post of Sub-Engineer without issuing any notice to him. He also contended that entire exercise has been done by respondent pursuant to order passed in WPS No. 516/2017 in which also petitioner was not the party respondent. He also pointed out that as many as 25 employees have been reverted back to the post of Sub-Engineer and 17 other persons have been shown to be promoted on the post of Assistant Engineer out of which in the remark column it is mentioned 06 employees retired and 02 died. Order impugned Annexure P-1 is *per se* arbitrary and in violation of principle of natural justice.

Considering the submission of learned counsel for petitioner and also documents placed on record, purely as an interim measure, it is directed that till the next date of hearing effect and operation of order impugned Annexure P-1 dated 02.12.2022, sofar as it relates to petitioner, shall remain stayed.

List this case in week commencing from 13th February 2023.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge