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(2019) 10 CHH CK 0046

Chhattisgarh High Court

Case No: Writ Petition (S) No. 8176 Of 2019

Dilip Kumar Katjhori — APPELLANT

Vs

State Of Chhattisgarh And Ors — RESPONDENT

Date of Decision: Oct. 14, 2019

Citation: (2019) 10 CHH CK 0046

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Goutam Khetrapal, Avinash Singh

Final Decision: Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. The grievance of the petitioner is that he was promoted to the post of Assistant Grade-III on 25.09.2017, however, on 26.09.2017 a criminal case

under the Prevention of Corruption Act was registered against him. Consequently, he could not join on the promoted post of Assistant Grade-III

though the promotion order was not annulled. It is contended that thereafter on 09.05.2019 the case under the Prevention of Corruption Act was

decided, wherein the petitioner was acquitted. It is stated that the promotional order of the petitioner for the post of Assistant Grade-III was not

annulled and only it was kept in abeyance for the reason that the criminal case was registered against the petitioner though subsequently he was

acquitted. On this background, the petitioner has made a representation (Annexure P-6) to the respondent No.2 to allow him to join to the promotional

post of Assistant Grade-III in the department of Ayurved, Yog and Natural Medicine, Unani Siddha & Homeopathy (AYUSH).

3. Perused the documents. The acquittal order dated 09.05.2019 of the special criminal case No.4/2018 is on record. According to the pleadings of the

petitioner, if the petitioner was promoted and he was not allowed to join on the promotional post as the criminal case which was registered worked as

a barrier to join the post, considering the submission made that the petitioner since now has been acquitted and has made a representation vide

Annexure P-6 dated 09.09.2019, it is directed that the respondent No.2 shall decide the same within a period of 60 days from the date of receipt of

copy of this order taking into the factual aspect in the background of this case.

4. With the aforesaid observation, the writ petition stands disposed of.