
Rakesh Kumar Awadhiya Vs State Of Chhattisgarh And Ors

Writ Petition (S) No. 8620 Of 2019

Court: Chhattisgarh High Court

Date of Decision: Oct. 18, 2019

Citation: (2019) 10 CHH CK 0139

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Ramakant Mishra, Sudhir Sahu, H. B. Agrawal

Final Decision: Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. The grievance of the petitioner is that the case of the petitioner for promotion is not been considered.

3. It is contended on behalf of the petitioner that though several correspondence were made and lastly the letter was written on 6th of March, 2019,

however, till date no decision is being taken and the juniors are being promoted. It is further contended that the petitioner has every right to pray that

his case for promotion should be considered so that the petitioner may further resort to any other action, if so required.

4. Learned counsel for respondent No.2 do not dispute the fact that the petitioner at least is entitled for consideration for the case of promotion.

5. It is a settled preposition that the right of promotion of an employee may not be vested as a fundamental right, but the consideration for promotion is

always a vested right in the service jurisprudence. In view of this, the application of the petitioner necessarily requires adjudication/consideration for

promotion. Accordingly, the respondent No.2 is directed to decide the application of the petitioner Annexure P-5 dated 06.03.2019 within a further

period of 60 days from the date of receipt of this order. It goes without saying that the petitioner shall have all the right to file necessary petition, if the

cause of action arises in future.

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