

H. R. Verma Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: July 25, 2018

Hon'ble Judges: Ajay Kumar Tripathi, CJ; Prashant Kumar Mishra, J

Bench: Division Bench

Advocate: Abhishek Vinod Deshmukh, Animesh Tiwari

Final Decision: Dismissed

Judgement

Ajay Kumar Tripathi, CJ

1. Settled position of seniority for almost 22 years cannot be allowed to be over turned at the convenience of an employee. This is what has happened

in the present Appeal, the appellant, who was petitioner before the learned Single Judge filed a representation before the respondent State authorities

against grant of promotion to respondent No.3. He claimed that he was senior to respondent No.3 when they were initially appointed on the post of

Junior Engineer in the year 1983, but that seniority position was re- arranged some times in the year 1994. Since there was no avenue or immediate

chance of promotion to the next higher post, it is the case of the appellant that he ignored such position. Only when the promotion has now been

granted to respondent No.3 on the post of Executive Engineer that the present appellant has a grievance.

2. Learned Single Judge has taken note of the fact that seniority of the present appellant stood altered in the year 1994 viz. a viz. respondent No.3.

Thereafter many provisional and final gradation lists have been published from time to time but at no point of time the appellant raised any objections

which were called for after publication of the provisional gradation list. He has woken up only when respondent No.3 who has been shown to be

senior to the present appellant for almost 22 years that now he has a grievance against his seniority.

3. Learned Single Judge taking note of this laches and delay on the part of the appellant to assail that situation on a such a belated hour has rightly

dismissed the writ application, as settled position cannot be unsettled after more than two and half decades at the convenience of the appellant.

4. The writ Court has committed no error which requires to be rectified in appeal

5. The Appeal has no merit. It deserves to be and is hereby dismissed.