

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 650 of 2019**

Tikam Chand Patel S/o Thandaram Patel Aged About 52 Years R/o
Post Office Road, Basti, Saraipali, District Mahasamund
Chhattisgarh.

---- **Petitioner**

Versus

1. State of Chhattisgarh Through Its Secretary School Education Department Mantralaya Naya Raipur District Raipur Chhattisgarh.
2. Director Public Education Block 3, First Floor ,indrawati Bhawan Atal Nagar District Raipur Chhattisgarh.
3. District Education Officer Mahasamund District Mahasamund Chhattisgarh.
4. Smt Uma Devi Sharma Lecturer Govt. Higher Secondary School , Adarsh Kanya, Mahasamund Chhattisgarh.

Respondent(s)

For Petitioner	:	Shri Parag Kotecha, Advocate.
For Respondents-State	:	Shri Rahul Mishra, Dy.Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.01.2019

1. The limited grievance which the petitioner has is that the gradation list has been wrongly prepared by the respondents for the year 2018 wherein the name of the respondent No. 4 appears at serial No. 395 and the name of the petitioner is reflected at serial No. 1545.
2. The Counsel for the petitioner submits that it is a case where the petitioner was initially appointed earlier to the respondent No. 4. Both the petitioner as well as the respondent No.4 were promoted to the post of Lecturer on the same day and the respondent No 4 was placed below the petitioner in the year 2010. Thereafter, the name of

the respondent No.4 was reflected below the name of the petitioner in all the subsequent gradation lists till the impugned gradation list dated 01.04.2018 was published showing the petitioner to be much junior to the respondent No. 4, inasmuch as, the petitioner has been placed at serial No.1545 in the gradation list whereas, the respondent No.4 is placed at serial Number 395.

3. The petitioner had immediately made a representation to the respondent Nos. 2 and 3 vide Annexure P-5, dated 27.11.2018, however, the representation, till date, has not been decided.
4. Considering the limited grievance which the petitioner has raised, the present writ petition stands disposed of with a direction to the respondent Nos. 2 and 3 to decide the representation of the petitioner taking into account the date of appointment, the date of promotion and other factors required for determining the seniority of the petitioner as compared to respondent No. 4. Let this exercise be completed within a period of three months from the date of receipt of certified copy of this order.
5. The defaults pointed out by the Registry stands ignored for the reason that the petitioner does not rely upon the said document to canvass his case.
6. Accordingly, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge