

NAFR

**HIGH COURT of CHHATTISGARH, BILASPUR****WPS No. 1206 of 2022**

- Rakesh Kumar Chaurasiya S/o S.P. Chaurasiya, aged about 36 Years Working As Plant Assistant Grade-II, (Mechanical) DSPM Plant CSPGCL Korba (East) District Korba Chhattisgarh.

-----Petitioner

**VERSUS**

1. Managing Director (Chhattisgarh State Power Generation Company Limited), Head Office Daganiya Raipur, District Raipur Chhattisgarh
2. Chief Engineer (HR) (Chhattisgarh State Power Generation Company Limited), Head Office Daganiya, Raipur, District Raipur Chhattisgarh
3. Chief Engineer (Generation), (Chhattisgarh State Power Generation Company Limited), Head Office DSPM Plant Korba (East), District Korba Chhattisgarh
4. Additional General Manager (HR), CSPGCL (Chhattisgarh State Power Generation Company Limited), Head Office Daganiya, Raipur, District Raipur Chhattisgarh

-----Respondents

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For Petitioner	: Mr. Ashutosh Shukla, Advocate.
For Respondents	: None.

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**Single Bench: Hon'ble Shri Parth Prateem Sahu, Judge****ORDER****28/02/2022**

1. Learned counsel for petitioner submits that he approached to the advocate in panel of Chhattisgarh State Power Generation Company Limited but the copy was not accepted.
2. The grievance raised in this writ petition is that the petitioner who is working as Plant Assistant, Grade I (Mechanical), by virtue of the impugned order, Annexure P-1, has been promoted to Plant Assistant, Gr.II (Mechanical) and he was posted from ED (Gen.), DSPM, KE to SE (Civil), CMD, CSPGCL, Gharghora. He

contended that by virtue of the order of promotion, petitioner is now posted in the coal mines, in the place of his posting, no post of Plant Assistant, Gr.II (Mechanical) exists. He submits that after issuance of the order of promotion and the posting of petitioner, the Employees Union has made representations to Respondent 2 on 11.10.2021 and 20.12.2021. The Superintendent Engineer (Boiler), DSPM TPS, KE has also written letter specifically mentioning that looking to the experience and qualifications of petitioner, he may be kept posted at DSMP TPS, KE on the post of Plant Assistant, Gr.II. As there is no sanctioned post on the place of posting, he may be permitted to make representation to Respondent 2 and further direction be issued to Respondent 2 to decide the representation within a time frame.

3. In view of above submissions made by learned counsel for petitioner, he is permitted to file a representation before Respondent 2 within a period of one week and thereafter, Respondent 2 shall decide the representation preferred by petitioner within a further period of three weeks from the date of receipt of representation.
4. It is made clear that this Court has not expressed any opinion on merits of the claim, it is for the respondent 2 to consider and decide the representation on its own merits.
5. With the aforesaid direction, writ petition stands disposed of.

Sd/-  
**(Parth Prateem Sahu)**  
Judge