
(2018) 08 CHH CK 0204
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 5258 Of 2018

N.B. Singh And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 21-08-2018

Acts Referred:

Citation : (2018) 08 CHH CK 0204

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : Sourabh Dangi, Arvind Dubey, Y.C. Sharma

Final Decision : Disposed Of

Judgement

P. Sam Koshy, J

1. The limited grievance raised by the petitioners in the present writ petition is that all the petitioners are within the zone of consideration for promotion

to the post of Superintending Engineer. The DPC by the State Government was not being conducted on account of some interim order in W.P. No.

1679 of 2012 passed by this Court on 3.10.2013 being operative.

2. According to the petitioners, subsequently the said writ petition and other bunch of writ petitions got transferred at the instance of the Hon'ble

Supreme Court to the Madhya Pradesh High Court where the same came up for hearing vide W.P. No. 3412 of 2015 and the Division Bench of the

Madhya Pradesh High Court finally vide order dated 16.7.2018 has vacated the interim order granted earlier.

3. Given the fact that there is no further interim order in operation anywhere, the request of the petitioners is that an appropriate direction be given to

the respondents to conduct a DPC at the earliest and issue appropriate order of

promotion to the eligible candidates from the date they have become eligible.

4. Learned counsel for the State as well as learned counsel for the Chhattisgarh Public Service Commission submit that so far as the order of the

Madhya Pradesh High Court dated 16.7.2018 is concerned, the same is not in dispute. However, whether any affected person has questioned the said

order before any other forum or whether there is any other interim order in operation is not in their knowledge. At the same time, the respondents do

not have any objection in the disposal of the writ petition with direction to hold DPC if there is no other impediment or hurdle in holding the same.

5. Given the aforesaid facts and circumstances of the case, this Court does not intend to keep the present writ petition pending, rather, ends of justice

would serve if the writ petition is disposed of with a direction to the respondents to consider the claim of the petitioners for promotion to the post of

Superintending Engineer, particularly when the earlier interim order because of which the DPC was not being held having already been vacated by the

order dated 16.7.2018.

6. Let appropriate decision be taken by the respondents in this regard and if the petitioners are found eligible, they be given suitable promotion in

accordance with the rules.

7. Let this exercise be concluded within a period of 60 days.

8. The writ petition stands disposed of accordingly.