

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) No. 927 OF 2010

1. S.K. Tamboli S/o Shri V.P. Tamboli, aged about 51 years, Assistant Teacher Science, Government Multipurpose Higher Secondary School No.2, Janjgir, District Janjgir-Champa (C.G.)
2. O.P. Kewart S/o Shri P.R. Kewart, aged about 50 years, Assistant Teacher Science Government Girls Higher Secondary School Sakti, District Janjgir-Champa (C.G.)
3. V.K. Yadav S/o Shri Puni Ram Yadav, aged about 52 years, Assistant Teacher Science Government Higher Higher Secondary School Nandaurkalan, District Janjgir-Champa (C.G.)
4. Jagdish Prasad Chandra S/o Shri Laloo Ram Chandra, aged about 49 years, Assistant Teacher Science Government Higher Higher Secondary School, District Janjgir-Champa (C.G.)

... Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, School Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. Commissioner, Lok Shiksha Sanchanalaya, Chhattisgarh, Raipur
3. The District Education Officer, District Janjgir-Champa (C.G.)
4. Minakshi Kumar Aditya, Upper Division Teacher, Government Middle School Mukta, Block Jaijaipur, District Janjgir-Champa (C.G.)
5. Kaushal Prasad Patel, Upper Division Teacher, Government Middle School Pendri, Block Jaijaipur, District Janjgir-Champa (C.G.)
6. Premchand Dewangan, Upper Division Teacher, Government Girls Middle School, Barpali (Champa), Block Bamhnidih, District Janjgir-Champa (C.G.)
7. Navin Agrawal, Upper Division Teacher, Government Middle School, Birra, Block Bamhnidih, District Janjgir-Champa (C.G.)
8. Diwakar Parasad Patel, Upper Division Teacher, Government Boys Middle School Sakti, Block Sakti, District Janjgir-Champa (C.G.)
9. Smt. Sumitra Rathore, Upper Division Teacher, Government Girls Middle School Sakti, Block Sakti, District Janjgir-Champa (C.G.)

... Respondents

For Petitioner	:	Mr. Ashwani Shukla, Advocate.
For Respondent-State.	:	Mr. Bhupendra Singh, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/09/2015

1. Grievance of the Petitioners was that though the Petitioners were working on the post of Assistant Teacher in the School Education Department but for a very long time they were not granted promotion and therefore they filed the present Writ Petition with a prayer to direct the Respondents to give promotion to the Petitioners as per the provisions of Chhattisgarh Lok Seva (Padonnati) Niyam, 2003 on the basis of seniority subject to fitness on the post of Upper Division Teacher.

2. Learned Counsel for the State with their reply has now come up with the stand that pending the present Writ Petition before this Court, all the Petitioners have vide order dated 20.7.2010 been granted promotion to the post of Upper Division Teacher. As such the grievance of the Petitioners *prima facie* seems to have been redressed and the writ petition may be dismissed as having become infructuous.

3. However, learned Counsel for the Petitioners submits that the Petitioners' claim for seniority as compared to their juniors is yet to be adjudicated upon. But, for the same there is no representation made to the Respondents nor has any claim been raised by the Petitioners in the present petition.

4. Accordingly, if at all if any grievance still survives, the Petitioners may approach the authorities by moving appropriate application.

5. As of now, the Writ Petition is dismissed as having become infructuous in the light of the promotion orders issued in favour of the Petitioners.

Sd/-
(P. Sam Koshy)
Judge