

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4926 of 2014**

1. Jitendra Kumar Jhangde S/o Tejram Jahngde Aged About 39 years Assistant Teacher (Panchayat), Govt. Primary School Chhirdih, Janpad Panchayat Jaijaipur, Dist Janjgir Champa, (CG)
2. Jaipal Singh Gond S/o Agori Ram Gond Aged About 44 Years Assistant Teacher (Panchayat), Govt. Primary School, Bhothiya, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, (C.G.)
3. Nilamber Kumar Kanwar S/o Sani Ram Kanwar Aged About 42 Years Assistant Teacher (Panchayat), Govt. Primary School, Akalsara, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, Cg
4. Chandar Lal Raj S/o Beer Singh Raj Aged About 47 Years Assistant Teacher Panchayat, Govt. Primary School, Kalmidih, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, (C.G.)
5. Sukrut Lal Maravi S/o Panchram Maravi Aged About 45 Years Assistant Teacher (Panchayat), Govt. Primary School Semradih, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa (C.G.)
6. Jagat Ram Khairwar S/o Dawan Singh Khairwar, Aged About 50 Years Assistant Teacher (Panchayat), Govt. Primary School, Dhanuharpara (Salni), Janpad Panchayat Jaijaipur, Dist Janjgir Champa, (C.G.)
7. Yashwant Kumar Gabel S/o Ram Dayal Gabel, aged About 40 Years, Assistant Teacher (Panchayat), Govt. Primary School Pahndripani, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, (C.G.)
8. Sunder Lal Sidar S/o Daharu Sidar Aged About 42 Years Assistant Teachert (Panchayat), Govt. Primary School, Kerhachakar (Thathari), Janpad Panchayat Jaijaipur, Dist Janjgir Champa, (C.G.)
9. Smt. Farida Akhtar Khan W/o Sheikhji Akhtar Aged About 41 Years Assistant Teacher (Panchayat), Govt. Primary School, Sendurash, Janapad Panchayat, Jaijaipur, Distt Janjgir Champa, (C.G.)
10. Ashok Kumar Kanwar S/o Mahettar Singh Kanwar Aged About 42 Years, Assistant Teacher (Panchayat), Govt. Primary School Karibhanwar, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, (C.G.)
11. Smt. Kanta Kamal W/o Hari Shankar Kamal, Aged About 46 Years Assistant Teacher (Panchayat), Govt. Middle School Akalsara, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa,

(C.G.)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat & Rural Development, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, Dist Raipur (C.G.)
2. Chief Executive Officer, Jila Panchayat Janjgir Champa, Dist Janjgir Champa, (C.G.)
3. Chief Executive Officer, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, (C.G.)
4. Block Education Officer Jaijaipur, Distt Janjgir Champa, (C.G.)

---- **Respondents**

And

WPS No. 4934 Of 2014

1. Shyamlal Sitare S/o Ganesh Ram Aged About 46 years Assistant Teacher (Panchayat), Govt. Primary School, Tadapara (Kasigrh), Janpad Panchayat Jaijaipur, Dist Janjgir Champa, CG
2. Santosh Kumar Chandra S/o Krishna Lal Chandra Aged About 45 Years Assistant Teacher (Panchayat), Govt. Primary School, Bhatapara (Dataud), Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG
3. Smt. Chhabirani Rathore W/o Ram Kumar Rathore, Aged About 48 Years, Assistant Teacher (Panchayat), Govt. Primary School, Hardi, Janpad Panchayat, Jaijaipur, Distt Janjgir-Champa, CG
4. Smt. Rajiv Netam W/o Lt. Shri Ram Bhagat Netam Aged About 40 Years, Assistant Teacher (Panchayat), Govt. Primary School, Darrabhata, Janpad Panchyaat, Jaijaipur, Dist Janjgir Champa, CG
5. Smt. Raj Kumari Raj W/o Soheblal Raj Aged About 41 Years Assistant Teacher (Panchayat), Govt. Primary School, Limtara, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG
6. Smt. Sarojani Maravi W/o Ishwar Singh Aged About 43 Years Assistant Teacher (Panchayat), Govt. Primary School, Dhangadpara, Thathari, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG

7. Tarachand Khairwar S/o Bachnu Ram Khairwar Aged About 41 Years Assistant Teacher (Panchayat), Govt. Primary School,. Arsiya, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG
8. Smt. Mantori Khairwar W/o Kanhaiya Singh Khairwar Aged About 36 Years Assistant Teacher (Panchayat), Govt. Primary School, Nandeli, Janpad Panchayat, Jaijaipur; Dist Janjgir Champa, CG
9. Ku. Shiv Kumari Ghouhan D/o Chatram Chouhan Aged About 45 Years Assistant Teacher (Panchayat), Govt. Primary School, Kekrabhat, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, (CG)
10. Mohanlal Sidar S/o Horilal Sidar Aged About 44 Years Assistant Teacher (Panchayat), Govt. Primary School, Bhatapra Akalsara, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG
11. Gorelal Khairwar S/o Ganesh Ram Khairwar Aged About 46 Years Assistant Teacher (Panchayat), Govt. Primary School, Purenhapara, Guchkuliya, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG

---- Petitioners

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, Dist Raipur, CG
2. Chief Executive Officer, Jila Panchayat Janjgir Champa, Dist Janjgir Champa, CG
3. Chief Executive Officer, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
4. Block Education Officer Jaijaipur, Distt Janjgir Champa, CG

---- Respondents

And

WPS No. 4936 Of 2014

1. Kamal Sing Sidar S/o Umed Singh Sidar, Aged About 42 years Assistant Teacher (Panchayat), Govt. Primary School, Kumhari, Pathan, Janpad Panchayat, Jaijaipur, Dist Janjgir Champa, CG
2. Sachendra Lal Chandra S/o Bahorik Lal Chandra, Aged About 48 Years Assistant Teacher (Panchayat), Govt. Primary School, Bodsara, Janpad Panchayat Jaijaipur, Dist Janjgir Champa, CG
3. Radhelal Ratre S/o Ramdayal Ratre Aged About 46 Years Assistant Teacher (Panchayat), Govt. Girls Primary School, Odekala, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa,

CG

4. Sahani Ram Diwakar S/o Sadh Ram Diwakar Aged About 48 Years Assistant Teacher (Panchayat), Govt. Primary School, Kherjhiti, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
5. Smt. Kumarin Bai Agre, W/o Puk Ram Agre, Aged About 39 Years Assistant Teacher (Panchayat), Govt. Primary School, Harina Chakar, Janpad Panchayat Jaijaipur, Distt Janjgir Champa, CG
6. Smt. Raj Kumari Sonwani W/o Rath Ram Sonwani Aged About 44 Years Assistant Teacher (Panchayat), Govt. Primary School, Dhoradipa, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
7. Smt. Shimla Devi Kurrey W/o Dil Chand Kurrey Aged About 37 Years Assistant Teacher Panchayat, Govt. Primary School, Parshadihi, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
8. Smt. Yogeshwari Navneet W/o Sukhlal Navneet, Aged About 39 Years Assistant Teacher Panchayat, Govt. Primary School, Parshadihi, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
9. Samelal Tandon S/o Mukhru Ram Tandon Aged About 46 Years, Parshadihi, Assistant Teacher (Panchayat), Govt. Primary School, Salni, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
10. Ram Singh Manhar S/o Patanga Manhar Aged About 50 Years Assistant Teacher (Panchayat), Govt. Primary School, Sandhri, Janpad Panchayat Jaijaipur, Distt Janjgir Champa, CG
11. Jageswar Singh Sidar S/o Dhajaram Sidar Aged About 46 Years Assistant Teacher (Panchayat), Govt. Primary School, Bailadula, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG

---- **Petitioners**

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development, Mahanadi Mantralaya, Naya Raipur, PO & PS Naya Raipur, Dist Raipur, CG
2. Chief Executive Officer, Jila Panchayat Janjgir Champa, Dist Janjgir Champa, CG
3. Chief Executive Officer, Janpad Panchayat, Jaijaipur, Distt Janjgir Champa, CG
4. Block Education Officer Jaijaipur, Distt Janjgir Champa, CG

---- **Respondents**

And

WPS No. 5693 Of 2014

Dhaneshwar Gupta S/o Shri K.P.Gupta Aged About 42 years
Assistant Teacher (Panchayat) Primary School Chhidokola Ps.
And Block Ambikapur Dist. Surguja Cg

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department Mahandi Bhawan Mantralaya New Raipur CG
2. The Chief Executive Officer Zila Panchayat Surguja, Ambikapur Dist. Surguja CG
3. The Block Education Officer Ambikapur Dist. Surguja CG
4. The Chief Executive Officer, Janpad Panchayat Ambikapur Dist. Surguja CG

---- Respondents

And

WPS No. 5694 Of 2014

Anil Singh, Son of Shri Ramadhar Singh Aged About 42 years
R/o Pratappur Naka Saheli Gali Near Shiv Mandir Ambikapur
P.S. Ambikapur Distt. Surguja (C.G.)

---- Petitioner

Vs

1. State Of Chhattisgarh Through the Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, Mantralaya, Naw Raipur Distt Raipur C.G.
2. The Chief Executive Officer Jila Panchayat Sarguja Ambikapur Distt. Surguja C.G.
3. Block Education Officer Janpad Panchayat, Lundra, Dist. Surguja C.G.
4. The Chief Executive Officer Janpad Panchayat, Lundra, Dist. Surguja C.G.

---- Respondents

And

WPS No. 5696 Of 2014

Junaid Aalam, son of Jamsed Aalam, Aged About 37 years, posted as Assistant Teacher(Municipal Corporation) Govt. Primary School Mayapur Ward, Ambikapur PS. Ambikapur Dist. Surguja CG

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through The Secretary Urban Administration And Development Deptt. Mahandi Bhawan Matralaya New Raipur CG
2. The Commissioner Municipal Corporation Ambikapur Dist. Surguja CG

---- **Respondents**

And

WPS No. 5733 Of 2014

Smt. Vimla Jaisawal W/o Shri Ramchandra Jaiswal Asstt Teacher (Panchayat), Primary School (Girls), Banja, aged about 44 years, R/o. Village – Banja, Tah.- Bahiyathan, Thana Surajpur, Civil & Revenue Distt Surajpur, Cg

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, Cg
2. Chief Executive Officer Jila Panchayat, Surajpur, Distt Surajpur, CG
3. Chief Executive Officer, Janpad Panchayat, Bhaiyathan, Distt Surajpur, CG
4. Block Education Officer, Bhaiyathan, Distt Surajpur, CG

---- **Respondents**

And

WPS No. 5734 Of 2014

1. Rajendra Mohan Parasar S/o Shri B.P.Parasar, Aged About 41 years Asstt Teacher (Panchayat), Aa Ja Ka Primary School Dhandhani, aged about 41 years, R/o Vill Barpali, Post Barpali, Tah Karkata, Ps Urga, Distt Korba, Civil & Revenue Distt Korba, CG

2. Vijay Bahadur Singh Kanwar S/o Shri Sidar Singh Kanwar Aged About 38 Years Asstt Teacher (Panchayat), Primary School, Jamnipali, R/o Vill Sohagpur, Post Sohagpur, Tah Kartala, PS-Urga, Distt Korba, Civil & Revenue Distt Korba, CG
3. Bholaram Biyar S/o Lt Shri Salwanta Ram Biyar Aged About 40 Years Asstt Teacher (Panchayat) Primary School (Boys), Faraswani, R/o Vill Faraswani, Pos Faraswani, Tah Kartala, Ps Urga, Distt Korba, Civil & Revenue Korba, CG
4. Mahendra Kumar Kori S/o Shri Jimipal Singh Kori Aged About 38 Years Asstt Teacher (Panchayat), Primary School, Sajapani, R/o Vill Sajapani, Post Karainara, Tah Kartala, PS Urga, Dist Korba, Civil & Revenue Distt Korba, CG
5. Panch Ram Kanwar S/o Shri Tiblu Ram Kanwar Aged About 42 Years Asstt Teacher Panchayat, Primary School Khamhar Para Bhanwar Khol, R/o Vill Bhanwar Khol, Post Karainara, Tah Kartala, Ps Urga, Dist Korba, Civil & Revenue Distt Korba, CG
6. Rameshwar Singh Kanwar S/o Shri Itwari Singh Kanwar Aged About 42 Years Asstt Teacher (Panchayat), Primary School Leemgaon, R/o Vill Banjari, Post Kothari, Tah Kartala, Ps Urga, Distt Korba, Civil & Revenue Distt Korba, CG

---- Petitioners

Vs

1. State Of Chhattisgarh & Ors. S/o Through Secretary, Panchayat & Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, Dist Raipur, CG
2. Chief Executive Officer, Jila Panchayat Korba, Dist Korba, CG
3. Chief Executive Officer, Janpad Panchayat, Kartala, Distt Korba, CG
4. Block Education Officer, Kartala, Distt Korba, CG

---- Respondents

And

WPS No. 5735 Of 2014

1. Lakhan Singh Kanwar S/o Shri Firtu Singh Kanwar Aged About 40 years Assistant Teacher(Panchayat) Govt. Primary School Dhamnamudi R/o Vill. Bhelwagudi Post Karainara Tah. Kartala Ps. Urgs Dist. Korba CG
2. Santram Kanwar S/o Shri Kartik Ram Kanwar Aged About 42 Years Assistant Teacher(Panchayat) Govt. Primary School Chaorabhatha R/o Vill. Bhelwagudi Post Karainara Tah. Kartala Ps Urga Dit. Korba CG
3. Thakur Singh Kanwar S/o Tiharu Singh Kanwar Aged About 43

Years Assistant Teacher(Panchayat) Govt. Primary School
Jamnipali R/o Vill. Sohagpur Post Sohagpur Tah. Kartala Ps.
Urga Dist. Korba Cg

4. Amol Singh Kanwr S/o Shri Denarayan Kanwar Aged About 40 Years Assistant Teacher(Panchayat) Govt. Primary School Pandopara R/o Vill. Sakreli Khurd Post Jarve Tah. Kartala Ps. Urga Dist. Korba CG
5. Ashok Kumar Kanwar S/o Shri Bhagat Ram Kanwar Aged About 37 Years, Assistant Teacher(Panchayat) Govt. Primary School R/o Vill. Bhelwagudi Post Karainara Tah. Kartala Ps. Urga Dist. Korba CG
6. Pritam Singh Paikra S/o Shri Mohpal Singh Paikara Aged About 39 Years, Assistant Teacher(Panchayat) Govt. Primary School Dadar Kala R/o Vill. Tuman Post Tuman Tah. Kartala Ps. Urga Dist. Korba CG

---- Petitioners

Vs

1. State Of Chhattisgarh Through Secretary Panchayat And Rural Development Department Manatralaya Mahandi Bhawan Raipur CG
2. Chief Executive Officer Jila Panchayat Korba CG
3. Chief Executive Officer, Janpad Panchayat Kartala Dist. Korba CG
4. Block Education Officer, Kartala Dist. Korba CG

---- Respondents

And

WPS No. 5736 Of 2014

1. Smt. Geeta Kanwar, W/o Top Singh Kanwar Aged About 40 years Assistant Teacher(Panchayat) Primary School Saraipali R/o Village – Kurudhih, Post Sohagpur Tah. Kartala PS. Urga Dist. Korba CG
2. Santosh Kumar Kanwar S/o Dawan Singh Kanwar, Aged About 37 Years Assistant Teacher(Panchayat) Primary School Jogi Nagar R/o Vill. Maohar Post Pathiyapali Tah. Kartala Ps. Urga Dist. Korba CG
3. Lalit Kumar Kanwar S/o Dhaniram Kanwar Aged About 47 Years Assistant Teacher(Panchayat) Primary School Aorai Vill. Chiknipali Post Chiknnipali Tah. Kartala Ps. Urba Dist. Korba CG
4. Shiv Prasad Paikra S/o Ratiram Painkra Aged About 38 Years Assistant Teacher(Panchayat) Primary School, Karainara R/o

Vill. Karainara Post Karainara Tha. Kartala Ps. Urga Dist. Korba
CG

5. Ramlal Sahu S/o Kaushal Prasad Sahu Aged About 51 Years
Assistant Teacher(Panchayat) Primary School, Bhanwar Khol
R/o Vill. Karainara Post Karainara Tah. Kartala Ps. Urga Dist.
Korba CG
6. Smt. Nirmala Minj W/o Heera Lal Minj Assistant
Teacher(Panchayat) Primary School Bhaisamuda R/o Post
Sohagpur Tah. Kartala PS. Urga Dist. Korba CG

---- **Petitioners**

Vs

1. State Of Chhattisgarh & Ors. S/o Through Secretary Panchayat
And Rural Development Department Mantralaya Mahandi
Bhawan New Raipur CG
2. Chief Executive Officer Jila Panchayat Korba CG
3. Chief Executive Officer, Janpad Panchayat Kartala Dist. Korba
CG
4. Block Education Officer, Kartala Dist. Korba CG

---- **Respondents**

For Petitioners:	Shri B.D. Guru, Advocate in W.P. (S) Nos. 4926,4934 & 4936 of 2014.
For Petitioners:	Shri Goutam Khetrapal, Advocate in W.P. (S) Nos.5693, 5694 & 5696 of 2014.
For Petitioners.	Shri Anshul R. Shrivastava, Advocate in W.P. (S) Nos. 5733 & 5736 of 2014.
For Petitioners	Shri Amit Sharma, Advocate in W.P. (S) No.5734 & 5735 of 2014.
For Respondents No. 2 & 3:	Shri R.S. Baghel, Advocate in WPS Nos.5734 & 5736 of 2014.
For Respondent No.3:	Shri R.S. Baghel, Advocate in W.P. (S) No.5733/2014 & 5735/2014
For Respondent No. 2	Ms. Sonia Kuldeep, Advocate in W.P. (S) No. 5696/2014
For Respondent/State:	Mr. Siddharth Rathore, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/07/2015

(1) These writ petitions have been preferred seeking benefit of the circular dated 2-11-11 for grant of time-bound promotion/Kramonnati on completion of 10 years of service. The petitioners have claimed parity in view of the order passed in Writ Appeal No.389/14, decided on 23-3-2015.

(2) Shri Siddharth Rathore, Dy. Govt. Advocate would submit that the benefit of the circular dated 2-11-11 has been withdrawn by issuing a circular on 14-11-14 w.e.f.1-5-13. They would submit that subsequently, the Division Bench in writ appeal Nos. 227 & 231 of 2015 has passed order, therefore, the present writ petitions do not survive.

(3) The above statement is not disputed by the learned counsel for the petitioners.

(4) In writ appeal Nos. 227 & 231 of 2015, the Division Bench of this Court has passed the following order:-

“3. The Writ Appeals arise from separate orders, dated 17.10.2014 and 26.9.2014, disposing a batch of analogous cases including Writ Petition (S) No.2914 of 2014 and Writ Petition (S) No.4382 of 2014 filed by the Appellants. Since we have already heard and disposed Writ Appeal No. 389 of 2014 and analogous appeals

involving similar questions as raised in the present Writ Appeals on 23.3.2015, it is considered appropriate to condone the delay. Delay is therefore condoned.

4. While passing the order dated 23.3.2015, the subsequent order passed by the Respondents on 14.11.2014 recalling the order dated 2.11.2001 with effect from 1.5.2013 had not been brought to our attention.

5. The present Writ Appeals are therefore disposed in similar terms as Writ Appeal No.389 of 2014 and analogous appeals, dated 23.3.2015, with the only clarification that in view of the order dated 14.11.2014 the claim of the Appellants is required to be considered only for the period 2.11.2011 till 1.5.2013.

6. The Writ Appeals are disposed in similar terms as Writ Appeal No.389 of 2014 and analogous appeals with the aforesaid clarification.”

(5) In view of the above, the present writ petitions are disposed of in terms of the writ appeals Nos. 227 & 231 of 2015. In other words, petitioners' case for grant of Kramonnati is required to be considered only for the period 2-11-11 till 1-5-13, if the petitioners fulfill the eligibility criteria as per the norms laid down by the State Government.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-