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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1533 of 2009**

Yashwant Dewan aged about 58 years, S/o Shri Sewak Ram Dewan, Teacher (UTD) Block Resource Centre Coordinator Rajiv Gandhi Shiksha Mission, Dhamtari, District Dhamtari, Chhattisgarh.

---- **Petitioner****Versus**

- 1.State of Chhattisgarh, Through Principal Secretary, School Education Department, Government of Chhattisgarh, Mantralaya, DKS Bhawan, Raipur, Chhattisgarh.
- 2.District Education Officer, Dhamtari, District Dhamtari, Chhattisgarh.
- 3.Shri K.R.Sarwa, Principal, Government Higher Secondary School, Kandel, District Dhamtari, Chhattisgarh.
4. Shri B.Saheb Principal, Government Higher Secondary School, Amdi, District Dhamtari, Chhattisgarh.
5. Shri Vinod Kumar Gupta Principal, Government Higher Secondary School, Parsada Paloud, District Raipur, Chhattisgarh.
6. Shri K.L.Dewangan, Principal, Government Higher Secondary School, Dahi, District Dhamtari, Chhattisgarh.
7. Smt. Snehlata Tiwari Principal, Government Higher Secondary School, Khorpa, District Raipur, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri V.G.Tamaskar, Advocate.
For Respondents/State	:	Shri Vinod Deshmukh, Deputy Government Advocate.
For Respondents 3, 4, 6	:	Shri C.K.Sahu, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****16/10/2015**

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. The writ petition was filed questioning the supersession of the Petitioner over Respondents No. 3 to 7 for promotion to the post of Principal.
3. The counter-affidavit filed by the Respondents/State in paragraph 3 to 6

collectively states that the case of the Petitioner was forwarded to the Commissioner/Director, Directorate of Public Instructions, Raipur to be considered for promotion by letter dated 23.4.2009. The counter-affidavit is silent thereafter.

4. Shri Tamaskar, Learned Counsel for the Petitioner submits that according to his instructions no final orders have been passed with regard to the same.

5. Learned Counsel for the State submits that the writ petition has become infructuous because the Petitioner has superannuated in the meantime.

6. In the considered opinion of the Court, if the Petitioner came to this Court during his service tenure and the Respondents forwarded his case for consideration while he was in service, the intervening superannuation before a decision taken does not render the writ petition infructuous.

7. The Respondents are therefore directed to take a final decision on the candidature of the Petitioner for promotion to the post of Principal and dispose it by a reasoned and speaking order in accordance with law, if not already done within a maximum period of eight weeks from the date of receipt and/or production of a copy of this order.

8. The writ petition stands disposed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE