

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2137 of 2015**

- Madhav Shankar Kamal S/o Shri Atmaram Kamal aged about 52 years Head Master Govt. Boys Middle School Naila, Block -Nawagarh District Janjgir -Champa (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh Through School Education Department, Mahanadi Bhawan, New Raipur, (C.G.)
2. The Director Public Instruction Chhattisgarh Indrawati Bhawan New Raipur, (C.G.)
3. The District Education Officer District-Janjgir-Champa (C.G.)

---- Respondents

And**WPS No. 2138 Of 2015**

- Dinesh Kumar Rathore S/o Shri R.K. Rathore aged about 46 years Upper Division Teacher Govt. Higher Secondary School Dhurkot (Middle Depot), Block- Nawagarh District Janjgir- Champa (C.G.)

---- Petitioner

Vs

1. State of Chhattisgarh Through School Education Department, Mahanadi Bhawan, New Raipur, (C.G.)
2. The Director Public Instruction Chhattisgarh Indrawati Bhawan New Raipur, (C.G.)
3. The District Education Officer District-Janjgir-Champa (C.G.)
4. The Principal Govt. Higher Secondary School Dhurkot, Block- Nawagarh District Janjgir- Champa (C.G.)

---- Respondents

For Petitioners	:	Shri Ashwani Shukla, Advocate
For Respondents/State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

22/06/2015

1. Petitioner Madhav Shankar Kamal in WPS No. 2137/2015 and petitioner Dinesh Kumar Rathore in WPS No. 2138/2015 are working as Upper Division Teachers, they are aggrieved by their supersession in the matter of promotion to the post of Lecturer (History) and Lecturer (Maths) respectively.
2. According to learned counsel for the petitioners, number of juniors have been promoted firstly on 19-6-2012 and thereafter on 30-4-2015 and despite representations being filed by the petitioners, their grievances have not been paid heed to. He would submit that the petitioners have not earned any adverse remark, nor any enquiry is pending against them, therefore, non-consideration of their cases for promotion is arbitrary.
3. Learned counsel would further submit that for the present, the petitioners may be permitted to make fresh representations and the respondents be directed to decide the same at the earliest, so that the petitioners are aware as to the reason for denial of promotion.
4. Learned State counsel would submit that if fresh representations are filed, the same shall be considered and decided, in accordance with law.
5. In view of the foregoing, the writ petitions are disposed of with a direction that in the event, the petitioners submit fresh representations within a period of one month from today, the competent authority shall consider and decide the same by a speaking order, in accordance with law, on its own merits, within a further period of three months.

6. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

(Prashant Kumar Mishra)

J U D G E

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