

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(S) No. 2364 of 2015

- Smt. Sunita Misra, Aged 55 years, Wife of Shri J.P. Mishra, Working as Head Master, At J.R. Naidu Middle School, Ravigram Raipur, R/o Avanti Vihar, Raipur, District Raipur (C.G.)

---- Petitioner

Versus

- State Of Chhattisgarh Through its Secretary, Department of School Education, Mantralay, Mahanadi Bhawan, Naya Raipur
- The Director, Public Instructions, Chattisgarh, HQ – Indrawati Bhawan, Naya Raipur
- The District Education Officer, Raipur, District Raipur
- Shri Udit Ram Deshlahare, Head Master, Govt. Middle School, Garka, District Balod (C.G.)
- Shri Gopi Ram Thakur, Head Master, Govt. Middle School, Jatadah, District Balod (C.G.)
- Shri Mahesh Ram Sarathi, Head Master, Govt. Middle School, Khokhara, Pusour, District Raigarh (C.G.)
- Shri Housi Lal Dolton, Head Master, Govt. Middle School, Bata, District Korba (C.G.)

---- Respondents

For Petitioner

Mr. R.K. Kesharwani, Advocate

For Respondent/State

Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/07/2015

1. The petitioner is working as Head Master, she is aggrieved by his supersession in the matter of promotion to the post of Lecturer (Mathematics).

2. According to learned counsel for the petitioner, number of juniors have been promoted and despite representation being filed by the petitioner, her grievance has not been paid heed to. He would submit that the petitioner has not earned any adverse remark, nor any enquiry is pending against her, therefore, non-consideration of her case for promotion is arbitrary.
3. Learned counsel would further submit that for the present, the petitioner may be permitted to make fresh representation and the respondents be directed to decide the same at the earliest, so that the petitioner is aware as to the reason for denial of promotion.
4. Learned State counsel would submit that if fresh representation is filed, the same shall be considered and decided, in accordance with law.
5. In view of the foregoing, the writ petition is disposed of with a direction that in the event, the petitioner submits a fresh representation 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)

JUDGE