

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7376 of 2009

- Chhattisgarh Adivasi Vikas Vibhag Karmachari Sangh through its Prantaadhiyakshya (State President) Aakash Rai, aged about 42 years, S/o Badri Prasad Rai, office near New Bus Stand, Pendra Distt. Bilaspur (CG).

---- Petitioner

Versus

1. The State of Chhattisgarh through its Secretary, Adim Jati and Anusuchit Jati Vikas Vibhag, DKS Bhawan, Raipur (CG).
2. Secretary, Panchayat and Rural Development, DKS Bhawan, Raipur.
3. Sectary, School Education Department, DKS Bhawan, Raipur.
4. The Director, Lok Sikshan Sanchnalaya, Raipur (CG).

---- Respondents

For Petitioner	Shri Parag Kotecha, Advocate.
For Respondent/State	Shri UNS Deo, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

07/04/2016

1. Challenge to the present writ petition is order dated 20.02.2009 whereby the State Government had issued an order depicting the manner in which the Shiksha Karmies Grade-I were to be engaged in the different educational institutions of the Tribal Department.
2. The State Government subsequently by way of return have come with stand that pending the writ petition, the State has framed new rules i.e. Chhattisgarh Tribal and Schedule Casts Development Department Education Cadre (Gazetted)

Service Recruitment Rules, 2011 (for short, the Rules, 2011), which provides the promotional avenues for the Assistant Teachers, Upper Division Teachers and Lecturers, which is what has been prayed in this petition. However, there is no challenge to Rules, 2011. Neither is there any contention of the petitioner that pending the writ petition the respondents/State have issued an order of promotion adversely affecting the rights of the Assistant Teachers, Upper Division Teachers and Lecturers. If at all there is any such order, those have not been challenged in the present writ petition.

3. In the light of the subsequent rules being enacted in the year 2011 itself and which has not been challenged in this writ petition, this petition has become infructuous.
4. Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

Sd/-
(P.Sam Koshy)
JUDGE