

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2207 of 2016

1. Budhram Ram S/o Shri Konda Ram, Aged About 46 Years Working As Shikshak Panchayat Grade- Ill, Presently Posted On Boys Primary School Kunkuri, Post + Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
2. Deonath Singh Chouhan, S/o Shri Asha Ram Chouhan, Working As Shikshak Panchayat Grade- Ill, Presently Posted On Govt. High School Brangjor, Post Brangjor, Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
3. Smt. Devo Chouhan, W/o Shri Jan Sevak Chouhan, Aged About 45 Years Working As Shikshak Panchayat Grade- Ill, Presently Posted On Primary School Tukupani (Bartoli), Post Jamchuwa, Thana Narayanpur, Block Kunkuri, Distt. Jashpur (Chhattisgarh)
4. Smt. Divya Gulab Kujur, W/o Shri Estanish Lash Kujur, Aged About 45 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School, Aambatoli (Lodhma), Post Lodhma, Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
5. Moh. Hafeez Abdul Wahab, S/o Shri Abdul Satar, Aged About 33 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Boys Primary School, Kunkuri, Post + Thana + Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
6. Smt. Gajala Parveen, W/o Shri Samim Uddin Ali, Aged About 45 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Girls Primary School Kunkuri, Post + Thana Kunkuri, Block Kunkuri, Distt Jashpur, (Chhattisgarh)
7. Smt. Prabha Tigga, W/o Shri Stefan Ekka, Aged About 46 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Kandora, Post + Thana; Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
8. Smt. Rajani Bhagat, D/o Shri R. B. R. Ohdar, Aged About 34 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Bene, Post Bene, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
9. Deonarayan Ram, S/o Shri Salik Ram, Aged About 32 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Navatoli (Dhumdand), Post + Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
10. Moh. Irfan Alam, S/o Shri Munir Uddin Alam, Aged About 30 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Pokhratoli, Post Barangjor, Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
11. Ku. Shusma Minj, D/o Shri Mathias Minj, Aged About 45 Years Working As Shiksha Panchayat School Salyatoli, Post + Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
12. Boniface Toppo, S/o Shri Alfons Toppo, Aged About 50 Years Working As Shikshak Panchayat At Grade Ill, Presently Posted On Primary School Kaliba, Post

Kaliba, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)

13. Moh. Mobin Aalam, S/o Moh. Azimuddin, Aged About 32 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Kudukela, Post Kudukela, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
14. Dineshwar Chouhan, S/o Dayal Ram Chouhan, Aged About 42 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Boys Primary School Dugdugiya, Post + Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
15. Smt. Vinita Yadav, D/o Rameshwar Yadav, Aged About 42 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Sukvasupara, (Kunkuri), Post + Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
16. Ku. Iline Ekka, D/o Helarius Ekka, Aged About 30 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Siritoli, Post Barangjor, Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
17. Smt. Nilam Kispotta, D/o Joseph Kispotta, Aged About 38 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Baigatoli, Post Jokbahla, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
18. Lajrus Ekka, S/o Nestor Ekka, Aged About 34 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Shankar Nagar (Behra Khar), Post Behra Khar, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
19. Smt. Vandana Xalxo, D/o Thyodor Xalxo, Aged About 34 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Karanj Toli (Khandsa), Post Khandsa, Thana Kunkuri, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
20. Brahmadat Ram, S/o Ramsewak Ram, Aged About 33 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School Patratoli (Darakharika), Post Narayanpur, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)
21. Smt. Shakuntala Chouhan, W/o Brahmadat Ram, Aged About 32 Years Working As Shikshak Panchayat Grade Ill, Presently Posted On Primary School, Sukbasupara (Darakharika), Post Narayanpur, Thana Narayanpur, Block Kunkuri, Distt. Jashpur, (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through: The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. Chief Executive Officer, Zila Panchayat Jashpur, Distt. Jashpur, (Chhattisgarh)
3. Block Education Officer, Kunkuri, Distt. Jashpur, (Chhattisgarh)
4. Chief Executive Officer , Janpad Panchayat, Kunkuri, Distt. Jashpur, (Chhattisgarh)

---- Respondents

Shri Manoj Chauhan, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/06/2016

This writ petition has 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. Learned State counsel 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. He would submit that subsequently, the Division Bench in writ appeal Nos. 227 & 231 of 2015 has passed order, therefore, the present writ petition does 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 2.11.2011 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 petition is disposed off in terms of writ appeal 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 1-5-2013, if the petitioners fulfill the eligibility criteria as per the norms laid down by the State Government.

Sd/-

(Manindra Mohan Shrivastava)
Judge