

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3156 of 2016

Balkaran Singh S/o Shri Indal Ram, Aged About 31 Years Post Assistant Teacher, Panchayat (Grade III), At Primary School, Ghuijhariya, P. S. And Tahsil Premnagar, District Surajpur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Mantralaya, District Raipur (Chhattisgarh).
2. State Of Chhattisgarh, Through : Secretary, Education Department, Mahanadi Bhawan, New Mantralaya, District Raipur (Chhattisgarh).
3. The Collector, Surajpur, District Surajpur (Chhattisgarh).
4. The Chief Executive Officer, Zila Panchayat, Surajpur, District Surajpur (Chhattisgarh).
5. The Block Education Officer, Premnagar, Block Surajpur, District Surajpur (Chhattisgarh).
6. Khrist Prafull Lakda, Occupation Shiksha Karmi Grade III, Government Middle School Bojha, Block Pratappur, District Surajpur (Chhattisgarh) (Sr. No. 574 In Gradation List 2015).
7. Vikram Singh, Occupation Shiksha Karmi Grade III, Government Middle School Kataroli, Block Premnagar, District Surajpur (Chhattisgarh) (Sr. No. 588 In Gradation List 2015).
8. Smt. Manju Upadhyay, Occupation Shiksha Karmi Grade III, Government Middle School Ajirma, Block Surajpur, District Surajpur (Chhattisgarh) (Sr. No. 653 In Gradation List 2015).

---- Respondents

For Petitioner	: Mr. Sunil Tripathi, Advocate
For State/ Respondents No.1 to 3 & 5	: Mr. R.K.Gupta, Dy. A.G. on advance copy

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/07/2016

Heard on admission.

The petitioner has filed this petition aggrieved by order dated 05.12.2015 by which the Juniors, Assistant Teacher (Panchayat) (Shiksha Karmis Grade-III) have been promoted to the next higher post of Teacher (Panchayat) (Shiksha Karmis Grade-II). According to the petitioner, there is no departmental enquiry, no punishment imposed nor any adverse remark for the last five years.

Learned State counsel points out that the petitioner has statutory remedy of preferring representation under Rule 18(1)(b) of the Chhattisgarh Panchayat Service (Discipline and Appeal) Rules, 1999.

Without commenting upon the merits of the case, considering that there is alternative remedy of preferring statutory representation in the matter of grievance on account of non-promotion/ supersession, the petition, at this stage, is disposed off with the liberty to the petitioner to prefer statutory representation upon which the competent authority shall decide the same in accordance with law.

Sd/-
(Manindra Mohan Shrivastava)
Judge