

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(S) No. 2803 OF 2016**

1. Komal Prasad Sahu, son of Shri Jeevan Lal Sahu, aged about 45 years, presently posted as Teacher (Panchayat), Middle School, Malhar, Block Masturi, District Bilaspur, Chhattisgarh.
2. Smt. Udaya Gupta, wife of Shri Satish Gupta, aged about 39 years, presently posted as Teacher (Panchayat), Middle School, Malhar, Block Masturi, District Bilaspur, Chhattisgarh.
3. Shiv Shankar Nagesh, son of Shri Kholbahara Nagesh, aged about 44 years, presently posted as Teacher (Panchayat), Middle School, Malhar, Block Masturi, District Bilaspur, Chhattisgarh.
4. Smt. Sandhya Devi Choubey, wife of Shri G.P. Choubey, aged about 47 years, presently posted as Teacher (Panchayat), Middle School, Malhar, Block Masturi, District Bilaspur, Chhattisgarh.
5. Smt. Rukmani Markam, wife of Shri Yugal Kishore Markam, aged about 39 years, presently posted as Teacher (Panchayat), Middle School Malhar Block Masturi, District Bilaspur, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh through the Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Dist. Raipur, Chhattisgarh.
2. Director, Directorate of Panchayat, 2nd Floor, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. District Education Officer, Bilaspur, Chhattisgarh.
4. Jila Panchayat Bilaspur, through the Chief Executive Officer, Jila Panchayat Bilaspur, Nehru Chowk, Bilaspur, Chhattisgarh.
5. Chief Executive Officer, Jila Panchayat Bilaspur, Nehru Chowk, Bilaspur, Chhattisgarh.
6. Nagar Panchayat Malhar, through the Chief Municipal Officer, Nagar Panchayat Malhar, Block Masturi, District Bilaspur, Chhattisgarh.
7. Chief Municipal Officer, Nagar Panchayat Malhar, Block Masturi, District Bilaspur, Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Amrito Das, Advocate
For respondents No. 1 to 3/ State	:	Mr. Dilmanrati Minj, Dy. Govt. Advocate, on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

11/07/2016

1. The grievance of the petitioner is that though, the petitioner substantively belongs to cadre of Teacher (Panchayat) under the services of Jila Panchayat Bilaspur, in the provisional gradation list of Teacher (Panchayat) of the year 2015-2016, the name of petitioner was not included and wrongly excluded. Petitioner made representation that as he is holding cadre post of Teacher (Panchayat) under the Services of Jila Panchayat, his name be included in the gradation list but without considering the representation, the earlier provisional gradation list has been treated to be final and respondent No. 4 has proceeded to hold DPC to consider the case of Teacher (Panchayat) for promotion to the post of Lecturer (Panchayat).

2. *Prima-facie*, from the documents, which has been placed on record, it appears that the petitioner was substantively promoted on the post of Shiksha Karmi Grade-II under the services of Jila Panchayat and the post of Shiksha Karmi Grade-II has now been re-designated as Teacher (Panchayat). The petitioner has emphatically stated in the petition that though he is continuing in the services of Jila Panchayat, probably for the reason that previously he was posted and working under the jurisdiction of Janpad Panchayat, Masturi, his name has not been included in the gradation list of Teacher (Panchayat) working under the jurisdiction of Jila Panchayat Bilaspur.

3. The matter requires consideration by the respondent No. 4. The

petitioner's representation for inclusion of his name in the gradation list of Teacher (Panchayat) be considered by the respondent No. 4 and decision be taken within a period of three weeks from the date of receipt of copy of this order. Thereafter, the petitioner shall be informed regarding result of his claim within a further period of three weeks.

4. It is directed that the representation of the petitioner should be decided before any officer junior to the petitioner is considered for promotion.

5. With the aforesaid direction and observation, the petition is finally disposed off at this stage.

Sd/-
(Manindra Mohan Shrivastava)
Judge