

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3877 of 2016

1. Guleshwar Ram S/o Kuhru Ram, Aged About 47 Years Working As Assistant Teacher Panchayat, Primary School, Farsatoli (Korangamal), Block Farsabahar, District Jashpur (Chhattisgarh)
2. Bhupendra Nath Ram S/o Lundaru Ram, Aged About 43 Years Working As Assistant Teacher Panchayat, Fitting Para (Ankira), Block Farsabahar, District Jashpur (Chhattisgarh)
3. Padam Lochan Ram S/o Tilak Ram, Aged About 39 Years Working As Assistant Teacher Panchayat, Primary School, Kuchmunda (Ankira), Block Farsabahar, District Jashpur (Chhattisgarh)
4. Benimadhav Singh S/o Ganga Singh, Aged About 47 Years Working As Assistant Teacher Panchayat, Primary School, Golidih (Babusajbahar), Block Farsabahar, District Jashpur (Chhattisgarh)
5. Imli Toppo S/o Irbanus Toppo, Aged About 40 Years Working As Assistant Teacher Panchayat, Primary School, Pakaridipa (Tumla), Block Farsabahar, District Jashpur (Chhattisgarh)
6. Surendra Yadav S/o Sahdev Ram Yadav, Aged About 45 Years Working As Assistant Teacher Panchayat, Primary School, Harijantoli (Jharmunda), Block Farsabahar, District Jashpur (Chhattisgarh)
7. Smt. Gayatri Paikra W/o Barnu Sai, Aged About 45 Years Working As Assistant Teacher Panchayat, Janpad Primary School, Konpara (Ganjiyadih), Block Farsabahar, District Jashpur (Chhattisgarh)
8. Smt. Kalista Toppo W/o Late Moris Toppo, Aged About 42 Years Working As Assistant Teacher Panchayat, Primary School, Pokhratoli (Singibahar), Block Farsabahar, District Jashpur (Chhattisgarh)
9. Smt. Santa Bada W/o Matiyas Bada, Aged About 47 Years Working As Assistant Teacher Panchayat, Primary School, Bhakupara (Lawakera), Block Farsabahar, District Jashpur (Chhattisgarh)
10. Smt. Leoni Kujur D/o Kornelious Kujur, Aged About 42 Years Working As Assistant Teacher Panchayat, Primary School, Sendarimunda (Kersai), Block Farsabahar, District Jashpur (Chhattisgarh)
11. Tarun Kumar Verma S/o Basant Kumar Verma, Aged About 40 Years Working As Assistant Teacher Panchayat, Primary School, Kersai (Singibahar), Block Farsabahar, District Jashpur (Chhattisgarh)
12. Trilochan Sai S/o Astam Sai, Aged About 43 Years Working As Assistant Teacher Panchayat, Primary School, Nawatoli (Singibahar), Block Farsabahar, District Jashpur (Chhattisgarh)
13. Dhanurjay Ram Yadav S/o Vidyadhar Ram Yadav, Aged About 31 Years Working As Assistant Teacher Panchayat, Primary School, Uparkachhar, Block Farsabahar, District Jashpur (Chhattisgarh)
14. Sampati Sai Paikara S/o Late Manmohan Sai Paikara, Aged About 43 Years Working As Assistant Teacher Panchayat, Primary School, Sanwaratoli (Ganjiyadih), Block Farsabahar, District Jashpur (Chhattisgarh)
15. Budhan Ram Yadav S/o Tunu Ram Yadav, Aged About 50 Years Working As Assistant Teacher Panchayat, Primary School, Lalgonda (Dalesar), Block Farsabahar, District Jashpur (Chhattisgarh)

16. Kritnarayan Sai Paikara S/o Rantu Ram Paikara, Aged About 49 Years Working As Assistant Teacher Panchayat, Primary School, Fitting Para (Aurijor), Block Farsabahar, District Jashpur (Chhattisgarh)
17. Damrudhar Yadav S/o Girdhari Yadav, Aged About 39 Years Working As Assistant Teacher Panchayat, Primary School, Fokatpara (Jamtoli), Block Farsabahar, District Jashpur (Chhattisgarh)
18. Krishna Ram S/o Kamal Ram, Aged About 38 Years Working As Assistant Teacher Panchayat, Primary School, Mudadipa (Tumla), Block Farsabahar, District Jashpur (Chhattisgarh)
19. Smt. Mithala Bal W/o Krishna Ram, Aged About 39 Years Working As Assistant Teacher Panchayat, Primary School, Pakridipa (Tumla), Block Farsabahar, District Jashpur (Chhattisgarh)
20. Tirath Sai Paikara S/o Sahdev Sai Paikara, Aged About 36 Years Working As Assistant Teacher Panchayat, Primary School, Mahkulpara (Ambakachhar), Block Farsabahar, District Jashpur (Chhattisgarh)
21. Gulbadan Sai S/o Baijnath Sai, Aged About 48 Years Working As Assistant Teacher Panchayat, Primary School, Bokhi, Block Farsabahar, District Jashpur (Chhattisgarh)
22. Vijay Kumar Shukla S/o Dwarika Prasad Shukla, Aged About 43 Years Working As Assistant Teacher Panchayat, Primary School, Bokhi, Block Farsabahar, District Jashpur (Chhattisgarh)
23. Tikeshwar Bhoi S/o Sadanand Ram, Aged About 35 Years Working As Assistant Teacher Panchayat, Primary School, Bathantoli (Hathibed), Block Farsabahar, District Jashpur (Chhattisgarh)
24. Prakash Sai Paikara S/o Dilsai Paikara, Aged About 34 Years Working As Assistant Teacher Panchayat, Primary School, Bhursapara (Dhumra), Block Farsabahar, District Jashpur (Chhattisgarh)
25. Clara Ekka D/o Suman Ekka, Aged About 40 Years Working As Assistant Teacher Panchayat, Primary School, Nawatoli (Kersai), Block Farsabahar, District Jashpur (Chhattisgarh)
26. Hemcharan Jangde S/o Bharat Lal Jangde, Aged About 33 Years Working As Assistant Teacher Panchayat, Primary School, Purainband, Block Farsabahar, District Jashpur (Chhattisgarh)
27. Brajkishor Nishad S/o Jugeshwar Nishad, Aged About 31 Years Working As Assistant Teacher Panchayat, Primary School, Anwalanagar (Ankira), Block Farsabahar, District Jashpur (Chhattisgarh)
28. Smt. Bachantimala D/o Julious Kujur, Aged About 31 Years Working As Assistant Teacher Panchayat, Primary School, Harijantoli (Jharmunda), Block Farsabahar, District Jashpur (Chhattisgarh)
29. Karuna Devi Paikara W/o Dev Sai Paikara, Aged About 37 Years Working As Assistant Teacher Panchayat, Primary School, Pokaratoli (Singibahar), Block Farsabahar, District Jashpur (Chhattisgarh)
30. Lakhan Lal Yadav S/o Mohan Ram Yadav, Aged About 30 Years Working As Assistant Teacher Panchayat, Primary School, Gadwamunda (Awira), Block Farsabahar, District Jashpur (Chhattisgarh)

31. Shashiprakash Parha S/o Late Labarsai Parha, Aged About 36 Years Working As Assistant Teacher Panchayat, Primary School, Mahlang , Block Farsabahar, District Jashpur (Chhattisgarh)
32. Smt. Lily Kapila Toppo D/o Late Johan Tigga, Aged About 42 Years Working As Assistant Teacher Panchayat, Primary School, Pokharatoli (Kersai), Block Farsabahar, District Jashpur (Chhattisgarh)

---- **Petitioners**

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Chief Executive Officer, Jila Panchayat Jashpur, District Jashpur (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat Farsabahar, District Jashpur (Chhattisgarh)
4. Block Education Officer, Block Farsabahar, District Jashpur (Chhattisgarh)

---- **Respondents**

For Petitioner	:	Mr. C.Jayant K. Rao, Advocate
For State	:	Mr. D.R. Minj, Dy. Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/08/2016

1. 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