

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5621 of 2016**

1. Komal Das Tandiya S/o Shri Gopal Das Tandiya, Aged About 34 Years R/o Village Jhabar, Post Nawagaon, Tah Pendra, Distt. Bilaspur (Chhattisgarh) Presently Posted As Assistant Teacher Panchayat At Govt. Primary School, Khardi, Tah & Block Pendra, District Bilaspur, (Chhattisgarh)
2. Sahasram Kenwat, S/o Shri Mangharam, Aged About 35 Years R/o Village Changeri, Post-Parasi, Tah Marwahi, Distt. Bilaspur (Chhattisgarh) Presently Posted As Assistant Teacher Panchayat At Govt. Primary School, Bharradola, Palari, Tah & Block Marwahi, District Bilaspur, (Chhattisgarh)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through: The Secretary, Panchayat Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. The Collector, Distt. Bilaspur, (Chhattisgarh)
3. The Chief Executive Officer, Zila Panchayat, Distt. Bilaspur, (Chhattisgarh)

---- **Respondents**

For Petitioner
For State

Shri Yogendra Chaturvedi, Advocate
Shri D.R. Minj, Government Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****07.10.2016**

1. The grievance of the Petitioners is that the Petitioners have been denied promotion and other benefits on account of their past services not being counted by the Respondent.
2. According to the Counsel for the Petitioner the dispute in the present writ petition already stands adjudicated upon by the Division Bench of this Court in Writ Appeal No. 475/2015 vide order dated 29.10.2015. He further submits

that after the order has been passed by the Division Bench, another similar Writ Petition i.e. WPS No. 4713/2016 has been disposed off by this Court on 14.09.2016 in similar terms.

3. He further submits that the present case is also identical to that of Writ Appeal No. 475/2015 and may be disposed off in similar terms.
4. Learned State Counsel after verification of the facts of the case submits that the case of the present Petitioners is similar to those Appellants in Writ Appeal No. 475/2015 and can be disposed off in similar terms.
5. Accordingly, in the light of the submissions made by the Counsel for the parties the present Writ Petition also stands disposed of in similar terms.
6. It is directed to the Respondent that subject to the Petitioners filing a fresh representation within a period of four weeks from today in respect of their claim, similar relief shall be granted as has been granted to other similarly placed persons after due verification of their entitlement.
7. It is made clear that this Court has not expressed anything on merits of the case so far as eligibility and entitlement of the Petitioners are concerned. The Respondent is at liberty to scrutinize and verify the eligibility and entitlement of the Petitioners in accordance with rules governing the field and pass an appropriate reasoned order within a period of four months from the presentation of the order of this Court.
8. With the aforesaid observations the present Writ Petition stands disposed off.

Sd/-

**(P. Sam Koshy)
JUDGE**