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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No.1064 of 2004**

1. Rajesh Kumar Shukla, S/o Shri Ramesh Chandra Shukla, aged about 38 years, B.Sc (Maths), Upper Division Teacher, Govt. Higher Secondary School, Village Mohla, Tahsil Mohla, District Rajnandgaon (CG).
2. Lachchhiram Dewangan, S/o Shri Kesho Ram Dewangan, aged about 35 years, B.Sc (Biology), Upper Division Teacher (Biology), Govt. Higher Secondary School, Village Manpur, District Rajnandgaon (CG).

---- Petitioners**Versus**

1. State of Chhattisgarh through Secretary, Schedule Tribe Development Department, Govt. of Chhattisgarh, Mantralaya DKS Bhavan, G.E. Road, Raipur (CG).
2. Commissioner/Director, Tribal Welfare Department, Govt. of Chhattisgarh, Mantralaya, DKS Bhawan.
3. Additional Director, Scheduled Caste, Scheduled Tribe, Back Ward Class and Minority Community Welfare Department, Chhattisgarh, Raipur.
4. Assistant Commissioner, Scheduled Tribes Development, Govt. of Chhattisgarh, Rajnandgaon (CG).
5. Shri Anil Kumar Pandhre (Science Assistant Teacher), Upper Division Teacher, Govt. High School Khadgaon, District Rajnandgaon (CG).

---- Respondents**AND****Writ Petition No.1905 of 2004**

1. Purshottam Siraman Dewangan, aged about 41 years, Qualification B.Sc. B.T. (Maths), Upper Division Teacher, Higher Secondary School, Village Bharritola, District Rajnandgaon (CG).
2. Devendra Kumar Sahu, S/o Shri Laxminarayan Dewangan, aged about 39 years, Qualification B.Sc. M.A. (English), Upper Division Teacher, Government Higher Secondary School, Village Chilhati, District Rajnandgaon (CG).

3. Shekhuram Sahoo, S/o Shri Tukaram Sahu, aged about 38 years, Lachchhram Dewangan, S/o Shri Kesho Ram Dewangan, aged about 38 years, B.Sc (Biology), Upper Division Teacher (Science), Govt. Higher Secondary School, Village Manpur, District Rajnandgaon (CG).
4. Heeralal Kosre, S/o Shri Khorbahraram Kosre, aged about 38 years, Qualification B.Sc. M.A. (Economics) Upper Division Teacher, Govt. Higher Secondary School, Village Bharritola, District Rajnandgaon (CG).
5. Girendra Kumar, S/o Shri Moyaram, aged about 44 years, Qualification B.Sc Upper Division Teacher, Govt. Higher Secondary School, Village Manpur (CG).

---- Petitioners

Versus

1. State of Chhattisgarh through Principal Secretary, Schedule Tribe Development Department, Govt. of Chhattisgarh, Mantralaya DKS Bhavan, G.E. Road, Raipur (CG).
2. Commissioner/Director, Tribal Welfare Department, Govt. of Chhattisgarh, Mantralaya, DKS Bhawan.
3. Additional Director, Scheduled Tribe, Scheduled Caste, Backward Class and Minority Community Welfare Department Chhattisgarh, Raipur (CG).
4. Assistant Commissioner, Scheduled Tribes Development, Govt. of Chhattisgarh, Rajnandgaon (CG).
5. Shri Anil Kumar Pondhre (Science Assistant Teacher), Upper Division Teacher, Govt. High School Khadgaon, District Rajnandgaon.

---- Respondents

For Petitioners : Mr. V.G. Tamaskar, Advocate
 For State : Mr. Arun Sao, Deputy Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/10/2017

(1) Learned counsel appearing for the petitioners would submit that the order of promotion dated 02.06.2003 has been

revoked by the respondent authorities by order dated 07.02.2006 without giving any proper opportunity of hearing to the petitioners, which is arbitrary and contrary to law.

(2) Learned counsel appearing for the State would support the impugned order and would submit that order of promotion was cancelled after serving notice dated 30.12.2015.

(3) I have heard learned counsel appearing for the parties.

(4) Since the petitioners' order of promotion has already been revoked by the Competent Authority by order dated 07.02.2006, which has not been questioned in these petitions by the petitioners herein except Lachchhiram Dewangan in Writ Petition No.1064/2004, therefore, no relief can be granted to the writ petitioners. Lachchhiram Dewangan has filed Writ Petition No.1078/2006 challenging order dated 07.02.2006, that has considered separately and order has passed in his writ petition.

(5) At this stage, learned counsel appearing for the petitioners would submit that he may be allowed to make representation to the respondent authorities against the order dated 07.02.2006. If such representation is filed by the petitioners, in that event the respondent authorities shall consider and decide the same, strictly in accordance with law, expeditiously preferably within a period of three months from the date of receipt of representation of the petitioners.

(6) With the aforesaid observation, the writ petitions stand finally disposed of. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-