

HIGH COURT OF CHHATTISGARH, BILASPUR

WPPIL No. 80 of 2017

- Rajendra Chelake, S/o Late Mohan Lal, Aged About 37 Years, Ward Councilor, Ward No. 15, Nagar Panchayat Belha, District Bilaspur (Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through : The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Collector/ District Magistrate, Bilaspur, District Bilaspur (Chhattisgarh)
3. President, District Panchayat Bilaspur, District Bilaspur (Chhattisgarh)
4. Block Development Education Officer, Development Block Education Office, Belha, District Bilaspur (Chhattisgarh)
5. Chief Education Officer, Janpad Panchayat Belha, District Bilaspur (Chhattisgarh)
6. Chief Municipal Officer, Nagar Panchayat Belha, District Bilaspur (Chhattisgarh)
7. Kumari Rekha Sai, D/o Chakradhar Pratap Sai, Shiksha Karmi Grade-III, Govt. Primary School, Keshala, Block Bilha, District Bilaspur (Chhattisgarh)

---- **Respondents**

For Petitioner	: Shri Uttam Pandey, Advocate
For State	: Shri Arun Sao, Dy. Advocate General

Hon'ble Shri Manindra Mohan Shrivastava, J.

Hon'ble Shri Sanjay Agrawal, J.

Order On Board by Manindra Mohan Shrivastava,

06/06/2017

1. Heard.
2. This is a Public Interest Litigation, which happens to be filed by a councilor of Nagar Panchayat, Belha. The petition has been filed *pro bono publico* alleging that respondent No. 7, who has been appointed as Shiksha Karmi Grade -III in Government Primary School, Keshala,

Block Belha, District Bilaspur is not teaching in classes.

3. We find that earlier petitioner has filed writ petition under his individual capacity, which was dismissed observing that if the petitioner chose he may take recourse to remedy to file PIL.
4. Considering that the petitioner is a Councilor of the local body, if any complaint is made, the same should be duly inquired into by the competent authority.
5. Taking into consideration the fact that the appointing authority of respondent No. 7 is the Chief Municipal Officer of Nagar Panchayat, Belha, this petition, at this stage, is disposed off with the direction to respondent No. 6 to examine the complaint of the petitioner and take suitable steps in the matter. We make it clear that respondent No. 7 shall be afforded due opportunity of hearing of any complaint made by the petitioner.
6. With the said direction, this petition at this stage stands disposed off. All others Interlocutory Applications are disposed off. Security amount be refunded.

Sd/-

(Manindra Mohan Shrivastava)
Vacation Judge

Sd/-

(Sanjay Agrawal)
Vacation Judge