

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2974 of 2017

1. Purushottam Prasad Kashyap S/o Vyas Narayan Kashyap, Aged About 32 Years Assistant Teacher (Panchayat), R/o Village Navagarh, Post, Tahsil Navagarh, District Janjgir Champa (Chhattisgarh).
2. Anil Kumar Sahu S/o Lakhan Lal Sahu, Aged About 31 Years Assistant Teacher (Panchayat), R/o Village Misda, Tahsil Navagarh, District Janjgir Champa (Chhattisgarh).
3. Teras Ram Ratre S/o Gyan Das Ratre, Aged About 35 Years Assistant Teacher (Panchayat), R/o Village Barbhatha, Post Salkhan, P. S. Navagarh, District Janjgir Champa (Chhattisgarh).
4. Abhay Sahu, S/o Radheshyam Sahu, Aged About 31 Years Assistant Teacher (Panchayat), R/o Village And Post Kera, P. S. Navagarh, District Janjgir Champa (Chhattisgarh).
5. Foolmat Bharti D/o Kholbahra, Aged About 33 Years Assistant Teacher (Panchayat), R/o Village Misda, Tahsil Navagarh, District Janjgir Champa (Chhattisgarh).
6. Deepak Lal Jangde S/o Sukalu Ram Jangde, Aged About 31 Years Assistant Teacher (Panchayat), R/o Village And Tahsil Semariya, District Janjgir Champa (Chhattisgarh).
7. Laxmi Kant Kashyap S/o Chandu Lal Kashyap, Aged About 30 Years Assistant Teacher (Panchayat), R/o Village Misda, Tahsil Navagarh, District Janjgir Champa (Chhattisgarh).

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
2. Collector, District Janjgir Champa, Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat District Janjgir Champa (Chhattisgarh), Chief Executive Officer, Janpad Panchayat Pamgarh, District Janjgir- Champa (Chhattisgarh).

---- Respondents

For Petitioners	:	Smt. Meena Shastri, Advocate
For Respondent/State	:	Ms. Sunita Jain, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/07/2017

Heard.

2. Grievance of the petitioners as ventilated through this petition are that even though, the petitioners have become eligible for being considered for promotion to the next higher post of Teacher (Panchayat) as prescribed under the Chhattisgarh Teacher Panchayat Cadre (Recruitment & Service Conditions) Rules, 2012 and large number of posts of Teacher (Panchayat) are lying vacant, the petitioners claim are not being considered, which is adversely affecting their avenues and career prospectus.

3. It is submitted that as the petitioners are in public employment, the respondents are obliged under the law to consider the petitioners claim for promotion to the next higher post by scrutinizing their records and also considering the fact that large number of posts of Teacher (Panchayat) are lying vacant.

4. Learned State counsel submits that promotion to the post of Teacher (Panchayat) are required to be considered by the Zila Panchayat and not by the government.

5. Considering the submission made by learned counsel for the petitioner, at this stage, instead of keeping the matter pending, I am inclined to dispose off the matter with a direction to respondent No.3 to examine the grievance of the petitioners and if the posts of Teacher (Panchayat) are lying vacant, the public interest also requires that the post of Teacher should be filled up rather than kept vacant. Filling of vacant posts of Teacher by way of promotion is in the interest of education and the students, who are being imparted education in the schools controlled by the Zila Panchayat. If the posts of Teacher are lying vacant, there is no reason as to why expeditious steps should not be taken to fill up the posts in accordance with the mode prescribed under the Rules. The matter may be examined by the Chief Executive Officer at the earliest and if there are posts lying vacant and available for being filled up by way of promotion from amongst eligible Assistant Teacher (Panchayat), which may include the petitioners also, necessary steps shall be taken to complete the process of selection and promotion as early as possible.

6. In view of above observation, this petition is finally disposed off. In case, grievance of the petitioners are not redressed within a period of four months, the petitioners would be at liberty to revive the petition. A copy of this order shall be placed before the Chief Executive Officer, Zila Panchayat, Janjgir-Champa for compliance forthwith.

SD/-
(Manindra Mohan Shrivastava)
Judge