

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1188 of 2017**

- Sujit Kumar Jaiswal S/o Shri R. N. Jaiswal, Aged About 45 Years Working On The Post Of Assistant Teacher Panchayat, Government Primary School Khairbar No. 1, R/o 24/64 Bhagat Singh Ward, Near Dr. C. D. Pathak, Kedarpur, Ambikapur, District Surguja, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
2. Commissioner Cum Director Panchayat, Directorate Indrawati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
3. Director, Lok Sikshan, Indrawati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
4. Collector Surguja, Ambikapur, District Surguja, (Chhattisgarh)
5. Chief Executive Officer, Zila Panchayat, Surguja, Ambikapur, District Surguja, (Chhattisgarh)
6. Chief Executive Officer, Janpad Panchayat, Ambikapur, District Surguja, (Chhattisgarh)
7. Block Education Officer, Ambikapur, District Surguja, (Chhattisgarh)

----Respondents

For Petitioner:	Mr. V.K. Pandey, Advocate
For State :	Mr. Gary Mukhopadhyay, Dy. Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09.03.2017**

1. The present Petition has been preferred aggrieved by the non action on part of the Respondents in granting promotion to the Petitioner to the post of Teacher Panchayat (Library) from the post of Assistant Teacher Panchayat at which post the Petitioner is working.
2. Learned Counsel for the Petitioner submits that the Petitioner was initially appointed as Assistant Teacher in the year 2006. Since then he is continuously discharging his duties on the

said post. Meanwhile the Petitioner has acquired the qualification required for a librarian under the Rules governing the services of the Petitioner which envisages a clause wherein on acquiring the qualification for librarian an Assistant Teacher (Panchayat) can be considered for promotion to the said post. He further submits that though there are vacancies available in the department at district Sarguja itself where the Petitioner is discharging his duties. In addition the Petitioner is one of the senior most candidate eligible for the said post. Since the Respondents are not taking any action on the claim put forth by the Petitioner, he prays that a suitable direction may be issued in this regard.

3. Learned State Counsel does not oppose the said prayer made by the Counsel for the Petitioner.
4. Accordingly, the Writ Petition is disposed off at this juncture with a direction to the Respondent No. 5 to consider the request of the Petitioner for grant of promotion to the post of Teacher Panchayat (Library) subject to the Petitioner fulfilling all the eligibility criteria. In addition the Respondent No.5 would also ensure that whether the rules do permit the claim of the Petitioner for grant of promotion to the said post.
5. Let this exercise be done within a period of 3 months from the date of presentation of the certified copy of this order before the Respondent No.5.
6. With the aforesaid observation the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE