

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1235 of 2017**

- Smt. Sonu Singh Parihar W/o Shri Pokhraj Singh Parihar, Aged About 39 Years Shiksha Karmi Grade-III, Present Post Is Known As Assistant Teacher (Panchayat), Posted At Govt. Primary School, Newari, Janpad Panchayat, Kawardha, Civil & Revenue District Kabirdham (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. The Chief Executive Officer, Zila Panchayat, Kawardha, District Kabirdham (Chhattisgarh).
3. The Chief Executive Officer, Janpad Panchayat, Kawardha, District Kabirdham (Chhattisgarh).
4. The Block Education Officer, Block Kawardha, District Kabirdham (Chhattisgarh).

---- Respondents

For Petitioner:
For State :

Mr. D. Shrivastava, Advocate
Mr. M. Ali, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20.03.2017**

1. The challenge through the present Writ Petition is the order dated 26.10.2016 (Annexure P-1) passed by Respondent No.2. By way of the said order the promotion of the Petitioner from the post Shiksha Karmi Grade-III to Shiksha Karmi Grade- II, which has been subsequently classified as Assistant Teacher Panchayat to Teacher Panchayat, has not been considered on account of the non-availability of the vacancy in the subject to which the Petitioner is teaching.

2. The very fact that the Petitioner has not been able to establish that there is any vacancy available in the subject to which the Petitioner is teaching itself is a ground for this Court not to entertain the present Writ Petition. Therefore the Peition being devoid of merits the present Writ Petition deserves to be dismissed.
3. At this juncture learned Counsel for the Petitioner prays that in case if the Petitioner is not promoted, she is entitled for time bound promotion as per the Scheme which is applicable in the State Government.
4. From the perusal of the record it appears that there is no any such representation to have been made before the Respondents authorities by the Petitioner. In the absence of any representation this Court is not inclined to entertain the Petition for grant of this specific relief also.
5. Accordingly the present Petition stands dismissed, with a liberty to the Petitioner to raise a representation to the Respondents in respect of the time bound promotion which the Petitioner is entitled for. In the event of such representation being made the Respondents are expected to decide the same expeditiously in accordance with the relevant Rules and Guidelines.
6. With the aforesaid observation the present Writ Petition stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE