

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 2160 of 2017**

- Ramanand Chauhan S/o Shri Amar Singh Chouhan, Aged About 39 Years Presently Working As Teacher (Panchayat), Government Middle School, Kotmara, Block Pusaur, District Raigarh (Chhattisgarh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).
5. Hemchand Gadthiya, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Baramkela, District Raigarh (Chhattisgarh).

---- Respondent**And****WPS No. 2199 Of 2017**

- Smt. Rashmi Patel W/o Shri Rajendra Kumar Patel, Aged About 31 Years Presently Working As Teacher (Panchayat), Government Pre Middle School, Jasra, Block Sarangarh, District Raigarh (Chhattisgarh)

---- Petitioner**Vs**

1. State of Chhattisgarh Though : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. Zila Panchayat, Raigarh, Through : Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh)
3. Dr. C. V. Raman University Through : Registrar, Kargi Road- Kota, District Bilaspur (Chhattisgarh)

4. University Grant Commission Through the Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India)
5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pusaur, District Raigarh (Chhattisgarh)
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh)

---- Respondent

And

WPS No. 2163 Of 2017

- Jagat Behera S/o Shri Chintaram Behera, Aged About 32 Years Presently Working As Teacher (Panchayat), Government Middle School, Purunga, Block Dharmajaigarh, District Raigarh (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : Secretary, Department Of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).
5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pussaur, District Raigarh (Chhattisgarh).
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh).

---- Respondent

And

WPS No. 2197 Of 2017

- Geeta Chauhan W/o Shri Vinod Kumar Chauhan, Aged About 36 Years Presently Working As Teacher (Panchayat), Government Middle School,

Botalda, Block Kharsiya, District Raigarh (Chhattisgarh)

---- **Petitioner**

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. Zila Panchayat, Raigarh, Through : Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh)
3. Dr. C. V. Raman University Through : Registrar, Kargi Road- Kota, District Bilaspur (Chhattisgarh)
4. University Grant Commission Through the Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India)
5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pusaur, District Raigarh (Chhattisgarh)
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh)

---- **Respondent**

And

WPS No. 2184 Of 2017

- Jablu Ekka S/o Shri Mahendra Ekka, Aged About 41 Years Presently Working As Teacher (Panchayat), Government Middle School, Geeda, Block Dharamjaigarh, District Raigarh (Chhattisgarh).

---- **Petitioner**

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).

5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pussaur, District Raigarh (Chhattisgarh).
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh).

---- Respondent

And

WPS No. 2185 Of 2017

- Mithilesh Kumar Patel S/o Shri Chamru Singh Patel, Aged About 40 Years Presently Working As Teacher (Panchayat), Government Middle School, Chaple, Block Kharsiya, District Raigarh (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).
5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pussaur, District Raigarh (Chhattisgarh).
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh).

---- Respondent

And

WPS No. 2178 Of 2017

- Annecia Ekka W/o Shri Shital Ekka, Aged About 33 Years Presently Working As Teacher (Panchayat), Government Middle School, Darridih, Block Dharmajaigarh, District Raigarh (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).
5. Hemchand Gadthiya, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Baramkela, District Raigarh (Chhattisgarh).

---- Respondent

And

WPS No. 2171 Of 2017

- Vijay Kumar S/o Shri Ravi Shankar, Aged About 32 Years Presently Working As Teacher (Panchayat), Government Middle School, Jamargidi, Block Dharmajaigarh, District Raigarh (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India).
5. Hemchand Gadthiya, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Baramkela, District Raigarh (Chhattisgarh).

---- Respondent

And

WPS No. 2200 Of 2017

- Subodh Kumar Bairagi S/o Shri Chintaram Behera, Aged About 32 Years Presently Working As Teacher (Panchayat), Government Middle School, Kunjemura, Block Taamnar, District Raigarh (Chhattisgarh)

---- **Petitioner**

Vs

1. State of Chhattisgarh Through Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. Zila Panchayat Raigarh, Through : Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh)
3. Dr. C. V. Raman University Through : Registrar, Kargi Road- Kota, District Bilaspur (Chhattisgarh)
4. University Grant Commission Through The Secretary, University Grant Commission Bahadur Shah Zafar Marg, New Delhi (India)
5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pusaur, District Raigarh (Chhattisgarh)
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh)

---- **Respondent**

And

WPS No. 2212 Of 2017

- Rajendra Prasad Rathore S/o Shri Mitthu Lal Banjara, Aged About 37 Years Presently Working As Teacher (Panchayat), Government Middle School, Nawapara, Block Gharghoda, District Raigarh (Chhattisgarh).

---- **Petitioner**

Vs

1. State of Chhattisgarh Through : Secretary, Department of School Education, Mahanadi Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. Zila Panchayat, Raigarh, Through Chief Executive Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Dr. C. V. Raman University, Through : Registrar, Kargi Road Kota, District Bilaspur (Chhattisgarh).
4. University Grant Commission, Through : The Secretary, University Grant

Commission Bahadur Shah Zafar Marg, New Delhi (India).

5. Smt. Prassan Kumari Ekka, Presently Working As Lecturer Panchayat, Mahaloi Higher Secondary School, Block Pussaur, District Raigarh (Chhattisgarh).
6. Mahesh Ram Dandsena, Presently Working As Lecturer Panchayat, Hirri Higher Secondary School, Block Dharamjaigarh, District Raigarh (Chhattisgarh).

---- Respondents

For Petitioners	:	Shri Sudeep Agrawal, Advocate
For Respondents-State	:	Shri SP Kale, Dy. AG with Shri Rajendra Tripathi and Ms. Sunita Jain, Panel Lawyers
For Respondent-UGC	:	Shri Bhuneshwar Singh Rajput, Advocate on behalf of Shri RK Gupta, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/05/2017

1. Learned counsel for the petitioners submits that since the petitioners are member of Panchayat Service, therefore, statutory representation is provided under Rules 18(1)(b) of Panchayat Service (Discipline and Appeal) Rules, 1999. It is contended that since the matter relates to promotion, therefore, the petitioners may be given liberty to move representations before the appropriate authority so that the statutory remedy, which is available to the petitioners may be exhausted.
2. The relevant Rule 18(1)(b) of Panchayat Service (Discipline and Appeal) Rules, 1999 as referred is quoted hereunder:-

“18. **Representation on other cases.**-(1) A member of the Panchayat Service may make representation against an order which.-
 (a) x x x x x
 (b) denies promotion to a higher post or service to which is other wise eligible according to the recruitment rules and which is due to him according to

seniority; or”

3. After going through the facts, it is directed that in case the petitioners make suitable application as per Rules 18(1)(b) of Panchayat Service (Discipline and Appeal) Rules, 1999 along with application for condonation of delay, if so advised and places his grievances along with all the documents, in such cases, the prescribed authority may decide the same within further period of three months on the facts available before it.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities may decide the representations on its own merits.
5. With the aforesaid observation, all the writ petitions stand finally disposed off. No order as to cost(s).

Sd/-

Judge

Prashant Kumar Mishra

Ashu