

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 1624 of 2009

Govind Kumar Sao S/o Shri K. R. Sao, aged about 45 years,
occupation Upper Division Teacher, Govt. Middle School Borsi, District
Durg (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Education Department,
DKS Bhawan Raipur (CG)
2. The Director, Public Instruction Department, Chhattisgarh Govt. Raipur
(CG)
3. District Education Officer, Durg, District Durg (CG)
4. The Principal, Govt. Middle School Borsi, District Durg (CG)
5. The Upper Director, S.T., S.C, O.B.C, and Minors Kalyan Department
Raipur (CG)

---- Respondents

For Petitioner	:	Shri Vipin Tiwari, Advocate
For Respondent	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15.05.2018

Heard.

At the out set, the petitioner prays that the present writ petition be
disposed off in terms of order passed in WP(S) No. 6858/2008

Grievance of the petitioner is that he was working as Assistant Teacher
and posted at Govt. Middle School, Borsi, District Durg. The erstwhile State
of Madhya Pradesh, vide circular of Annexure P-1 dated 20th January, 1987
directed the Commissioner, Public Education to fill up the post of Upper
Division Teachers from the Assistant Teachers, who are graduates in science
by promotion. Number of teachers were given promotion on the basis of
above circular of Annexure P-1, however, the petitioner's case was not
considered. The petitioner was granted promotion on the post of Upper

Division Teacher vide order dated 18.08.2008 Annexure P-6. Grievance of the petitioner in the present case is that though the petitioner has been given promotion, however, he has not been given seniority from the date when he was entitled to get such promotion.

Learned counsel for the State submits that in case the petitioner files fresh representation for notional seniority before the respondent no.3 within seven days from today along with copy of this order, the same shall be considered and decided by the respondent no.3 within a further period of 8 weeks from the date of receipt of representation.

In view of the above submission of learned counsel for the State, the instant petition is disposed of with liberty to the petitioner to file a fresh representation for notional seniority before the respondent no.3 within a period of seven days from today along with a copy of this order. On such representation being made, the respondent no.3 shall decide the same within a further period of 8 weeks from the date of receipt of the representation.

**Sd/-
P. Sam Koshy
Judge**