

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5620 of 2017**

1. Aaditya Prasad Yadav S/o Shri Jangbali Ram Yadav, Aged About 46 Years Occupation Assistant Teacher Panchayat Govt. Primary School Chitabahri Kandrai, Sankul Kandrai, R/o Village Chitabahri Kandrai, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
2. Huleshwar Singh, S/o Shri Shankar Prasad Singh, Aged About 39 Years Occupation Assistant Teacher Panchayat Govt. Primary School Ahirpara, Pendrakhi, Sankul Kandrai, R/o Village Ahirpara Pendrakhi, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
3. Narendra Singh Aandilaya, S/o Shri Tibhul Ram, Aged About 43 Years Occupation Assistant Teacher Panchayat Govt. Primary School Charpara, Sankul Kandrai, R/o Village Charpara Kandrai, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
4. Mahesh Kumar Vishnav, S/o Shri Shivbhajan Das, Aged About 42 Years Occupation Assistant Teacher Panchayat Govt. Primary School Bhattapara, Sankul Latouri, R/o Village Bhattapara, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
5. Bharat Singh, S/o Late Shri Nanbabu, Aged About 39 Years Occupation Assistant Teacher Panchayat Govt. Primary School Aamapara, Sankul Kandrai, R/o Village Aamapara Kandrai, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
6. Surendra Kumar , S/o Shri Ganeshwar Prasad, Aged About 50 Years Occupation Assistant Teacher Panchayat Govt. Primary School Kushwahapara Dwarikanagar, Sankul Vishrampur, R/o Village Kushwahapara Dwarikanagar, Block Surajpur Thana Jainagar, District Surajpur Chhattisgarh.
7. Lakki Jarige @ Soni, S/o H. Wilson, Aged About 25 Years R/o Contractor Colony, Near Dharmendra Kirana Shop Ward No. 12, Supela District Durg Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mantrayalaya, Naya Raipur, Chhattisgarh.
2. Director, Directorate Of Panchayat Chhattisgarh Indravati Bhawan, Naya Raipur Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat, Surajpur, Dist. Surajpur Chhattisgarh.
4. Chief Executive Officer, Janpad Panchayat, Surajpur, Dist. Surajpur Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat, Premnagar, Dist. Surajpur Chhattisgarh.

6. Collector, Surajpur, Dist. Surajpur Chhattisgarh.

7. District Education Officer, Surajpur, Dist. Surajpur Chhattisgarh.

---- Respondents

For Petitioner : Mr. R. K. Patel, Advocate.

For State : Mr. Majid Ali, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

10/01/2018

1. The petitioners, seven in number, have filed this petition seeking a direction for consideration of their cases for promotion.

2. Out of seven petitioners, four of them namely petitioner No. 1,2 ,3 & 4 had earlier filed the writ petition No. WPS 5070/2016 which was disposed off on 24-08-2016 with a direction for consideration of their representation. The cases of these petitioners was examined by Jila Panchayat and vide order dated 16-02-2017, the same was disposed off in the manner that as and when posts are earmarked and made available and promotion cases would be considered.

3. As far as other two petitioners are concerned, they had filed writ petition No. WPS 5832/2016 which was disposed off on 24-10-2016.

4. The main operative reason for not considering the petitioners for promotion, as reflected in the order dated 16-02-2017 is non-availability of earmarked post by the District Education Officer/Asssistant Commissioner Tribal Development. This aspect could be well examined, in case, the petitioner file an appeal against the orders of rejection of their representation before the competent authority as prescribed under Panchayat Appeal And Revision Rules, 1995.

5. The petition is dismissed with liberty to file an appeal.

Sd/-

(Manindra Mohan Shrivastava)

Judge