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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4474 of 2018**

1. Kanhaiya Lal Chauhan S/o Shri Panch Lal Chauhan Aged About 49 Years Presently Working On The Post Of Assistant Teacher (Panchayat) At Primary School, Anwrajar, Block Tamnar, District Raigarh Chhattigarh.
2. Chaitan Singh Rathiya S/o Shri Sukhnath Singh Rathiya Aged About 34 Years Presently Working On The Post Of Assistant Teacher (Panchayat) At T W D , Police Station Chatakpur, Block Dharamjaigarh District Raigarh Chhattisgarh.

---- **Petitioners****Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Mahanadi Bhawan, Capital Complex, Naya Raipur Post Office Rakhi, District Raipur Chhattisgarh.
2. Commissioner - Cum - Director, Panchayat Directorate Indrawati Bhawan Naya Raipur Distirct Raipur Chhattisgarh.
3. Director Lok Shikshan , Indrawati Bhawan Naya Raipur District Raipur Chhattisgarh.
4. Collector , Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
5. Chief Executive Officer, Zila Panchayat Raigarh, District Raigarh Chhattisgarh.
6. District Education Officer , Raigarh District Raigarh Chhattisgarh., District : Raigarh,

---- **Respondents**

For the Petitioners	:	Ms. Neha Verma, Advocate
For the State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**10/07/2018**

1. Heard counsel for the parties.
2. The present petition has been preferred aggrieved by in action on part

of the Respondents in granting promotion to the Petitioners to the post of Teacher Panchayat (Library) from the post of Assistant Teacher Panchayat at which post the Petitioners are working.

3. Learned Counsel for the Petitioners submits that the Petitioners were initially appointed as Assistant Teacher Panchayat on 31/07/2008 and 23/09/2005 respectively. Since then they are continuously discharging their duties on the said post. Meanwhile, the Petitioners have acquired the qualification required for a librarian under the Rules governing the services of the Petitioners which envisage 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 there are vacancies available in the department at district Surajpur itself, where the Petitioners are discharging their duties. In addition, the Petitioners are amongst the senior most candidates eligible for the said post. Since the Respondents are not taking any action on the claim put forth by the Petitioners, they pray that a suitable direction may be issued in this regard.
4. Learned State Counsel does not oppose the said prayer made by the Counsel for the Petitioners.
5. The matter in issue is squarely covered in W.P.(S) No. 6899 of 2017 'Dilrakhan Tirki and others vs. State of Chhattisgarh and others' decided on 08/12/2017 by the coordinate Bench of this Court.
6. Accordingly, the Writ Petition is disposed off at this juncture with a direction to the Respondent No. 5 to consider the request of the Petitioners for grant of promotion to the post of Teacher Panchayat (Library) subject to the Petitioners fulfilling all the eligibility criteria. In

addition, the Respondent No.5 would also ensure that whether the rules do permit the claim of the Petitioners for grant of promotion to the said post.

7. 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.
8. With the aforesaid observation, the present Writ Petition stands disposed off.

Sd/-

(Sharad Kumar Gupta)
Judge