

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.2384 of 2015

Janak Ram Nishad, S/o Late Daitari Nishad, aged about 52 years, working as Chowkidar, Govt. Higher Secondary School, Chichour (Umaria), Block Pussour, District Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Secretary, Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Collector, Raigarh, District Raigarh (C.G.)
3. District Education Officer, Raigarh (C.G.)
4. Deenbandhu Sidar, Govt. Higher Secondary School, Nandeli, District Raigarh (C.G.)

---- Respondents

Writ Petition (S) No.2946 of 2016

Heera Lal Sao, S/o Shri Gokul Prasad Sao, Aged about 49 years, Presently working as Peon, Government Higher Secondary School, Bade Bhandaar, Tehsil Pusaur, District Raigarh (C.G.), R/o Gram Bunga, PO Bunga, Tehsil Pusaur, District Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Principal Secretary, Education Department, Mantralaya, New Raipur, District Raipur (C.G.)
2. District Education Officer, District Raigarh (C.G.)
3. Block Development Education Officer, Sarangarh, District Raigarh (C.G.)
4. Shri Yujin Ikka, Aged about 45 years, Presently working as Assistant Grade – III, Government Higher & Middle School, P.O. Jatri, District Raigarh (C.G.)
5. Shri Vivekanand Patnaik, Aged about 48 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Kashichuan, District Raigarh (C.G.)
6. Shri Geeta Prasad Sahu, Aged about 48 years, Presently working as Assistant Grade – III, Government High School, Kedaar, District Raigarh (C.G.)
7. Shri Kaushal Prasad Valmiki, Aged about 43 years, Presently working

as Assistant Grade – III, Government Higher & Middle School, Midmida, District Raigarh (C.G.)

8. Shri Kamil Ikka, Aged about 45 years, Presently working as Assistant Grade – III, Diet, Dharamjaigarh, District Raigarh (C.G.)
9. Shri Vasudeo Kumar Vishwas, Aged about 41 years, Presently working as Assistant Grade – III, Office of District Education Officer, District Raigarh (C.G.)
10. Shri Phoolbihari Patel, Aged about 45 years, Presently working as Assistant Grade – III, Government Higher & Middle Girls School, Sarangarh, District Raigarh (C.G.)
11. Shri Bhojram Bhardwaj, Aged about 44 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Putkapuri, District Raigarh (C.G.)
12. Shri Dilaram Mahilane, S/o Shri Ramcharan, Aged about 44 years, Presently working as Assistant Grade – III, Government Higher Secondary School, Godam, District Raigarh (C.G.)
13. Jagdish Mahana, Aged about 40 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Chichorumaria, District Raigarh (C.G.)
14. Pitambar Saya, Aged about 44 years, Presently working as Assistant Grade – III, Office of Block Development Education Officer, Raigarh, District Raigarh (C.G.)
15. Ashok Kumar Jaatwar, Aged about 38 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Uchbhithi, District Raigarh (C.G.)
16. Shri Brahmaprakash Ajgalle, Aged about 35 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Hardi, Sarangarh, District Raigarh (C.G.)
17. Kumari Pushpalata Sidar, Aged about 48 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Kotra, District Raigarh (C.G.)
18. Shri Shrilal Sidar, Aged about 44 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Gorra, District Raigarh (C.G.)
19. Shri Ugansaya Badaa, Aged about 57 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Jaamgaon, District Raigarh (C.G.)
20. Shri Sonuram Sanwra Sidar, Aged about 51 years, Presently working as Assistant Grade – III, Government High School Girls, Pusaur, District Raigarh (C.G.)
21. Shri Siril Ram Bhagat, Aged about 46 years, Presently working as Assistant Grade – III, Government Higher & Middle School,

Jhaalbaramkela, District Raigarh (C.G.)

22. Dilip Kumar Sidar, Aged about 45 years, Presently working as Assistant Grade – III, Office of Block Development Education Officer, Baramkela, District Raigarh (C.G.)
23. Shri Shridhar Ram, Aged about 47 years, Presently working as Assistant Grade – III, Diet, Dharamjaigarh, District Raigarh (C.G.)
24. Shri Devanand Bhoy, Aged about 38 years, Presently working as Assistant Grade – III, Block Development Education Officer, Pusaur, District Raigarh (C.G.)

---- Respondents

Writ Petition (S) No.2758 of 2016

Tikaram Nirala, S/o Late Shri Sakhi Ram Nirala, Aged about 53 years, Presently working as Peon, Government Higher Secondary School, Bade Bhandaar, Tehsil Pusaur, District Raigarh (C.G.), R/o Gram Bunga, PO Bunga, Tehsil Pusaur, District Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Principal Secretary, Education Department, Mantralaya, New Raipur, District Raipur (C.G.)
2. District Education Officer, Raigarh, District Raigarh (C.G.)
3. Block Development Education Officer, Sarangarh, District Raigarh (C.G.)
4. Shri Yujin Ikka, Aged about 45 years, Presently working as Assistant Grade – III, Government Higher & Middle School, P.O. Jatri, District Raigarh (C.G.)
5. Shri Vivekanand Patnaik, Aged about 48 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Kashichuan, District Raigarh (C.G.)
6. Shri Geeta Prasad Sahu, Aged about 48 years, Presently working as Assistant Grade – III, Government High School, Kedaar, District Raigarh (C.G.)
7. Shri Kaushal Prasad Valmiki, Aged about 43 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Midmida, District Raigarh (C.G.)
8. Shri Kamil Ikka, Aged about 45 years, Presently working as Assistant Grade – III, Diet, Dharamjaigarh, District Raigarh (C.G.)
9. Shri Vasudeo Kumar Vishwas, Aged about 41 years, Presently working as Assistant Grade – III, Office of District Education Officer, District Raigarh (C.G.)
10. Shri Phoolbihari Patel, Aged about 45 years, Presently working as

Assistant Grade – III, Government Higher & Middle Girls School, Sarangarh, District Raigarh (C.G.)

11. Shri Bhojram Bhardwaj, Aged about 44 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Putkapuri, District Raigarh (C.G.)
12. Shri Dilaram Mahilane, S/o Shri Ramcharan, Aged about 44 years, Presently working as Assistant Grade – III, Government Higher Secondary School, Godam, District Raigarh (C.G.)
13. Jagdish Mahana, Aged about 40 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Chichorumaria, District Raigarh (C.G.)
14. Pitambar Saya, Aged about 44 years, Presently working as Assistant Grade – III, Office of Block Development Education Officer, Raigarh, District Raigarh (C.G.)
15. Ashok Kumar Jaatwar, Aged about 38 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Uchbhithi, District Raigarh (C.G.)
16. Shri Brahmaprakash Ajgalle, Aged about 35 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Hardi, Sarangarh, District Raigarh (C.G.)
17. Shri Sonuram Sanwra Sidar, Aged about 51 years, Presently working as Assistant Grade – III, Government High School Girls, Pusaur, District Raigarh (C.G.)
18. Shri Siril Ram Bhagat, Aged about 46 years, Presently working as Assistant Grade – III, Government Higher & Middle School, Jhaalbaramkela, District Raigarh (C.G.)
19. Dilip Kumar Sidar, Aged about 45 years, Presently working as Assistant Grade – III, Office of Block Development Education Officer, Baramkela, District Raigarh (C.G.)
20. Shri Shridhar Ram, Aged about 47 years, Presently working as Assistant Grade – III, Diet, Dharamjaigarh, District Raigarh (C.G.)
21. Shri Devanand Bhoy, Aged about 38 years, Presently working as Assistant Grade – III, Block Development Education Officer, Pusaur, District Raigarh (C.G.)

---- Respondents

Writ Petition (S) No.1369 of 2016

Chhabilal Chouhan, S/o Shri Barat Ram Chouhan, Aged about 48 years, Presently working as Peon, Government Girls Middle School, Danasera, Block & Tehsil Sarangarh, District Raigarh (C.G.). R/o Village Kutela, PO Godhiyari, Sarangarh, District Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Principal Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. District Education Officer, Raigarh, District Raigarh (C.G.)
3. Block Education Officer, Block Sarangarh, District Raigarh (C.G.)
4. Shri Kaushal Prasad Valmiki, Aged about 53 years, Presently working as Peon, Government High School, Village Midmida, Block & Tehsil Sarangarh, District Raigarh (C.G.)
5. Shri Bhojram Bhardwaj, Aged about 54 years, Presently working as Peon, Government Girls Middle School, Village Putkapuri, Pusour, District Raigarh (C.G.)
6. Shri Dilaram Mahilane, S/o Shri Ramcharan, Aged about 48 years, Presently working as Peon, Government Higher Secondary School, Village Godam, Block & Tehsil Sarangarh, District Raigarh (C.G.)
7. Shri Ashok Kumar Jaatwar, Aged about 48 years, Presently working as Peon, Government Higher Secondary School, Village Ucchbhithi, Gejamuda, District Raigarh (C.G.)
8. Shri Brahmaprakash Aigalle, Aged about 47 years, Presently working as Peon, Government Higher Secondary School, Village Hardi, Block & Tehsil Sarangarh, District Raigarh (C.G.)

---- Respondents

ANDWrit Petition (S) No.5690 of 2016

Shobharam Sahu, S/o Shri Jaitram Sahu, Aged 47 years, Presently working as Peon, Government Higher Secondary School, Kondtarai, P.S. Bhupdevpur, Tahsil Raigarh, District Raigarh (C.G.). R/o at Post Sondka, Tahsil Kharsiya, District Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Principal Secretary, Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. District Education Officer, Raigarh, District Raigarh (C.G.)
3. Block Education Officer, Block Sarangarh, District Raigarh (C.G.)
4. Shri Kaushal Prasad Valmiki, Aged about 53 years, Presently working as Peon, Government High School, Village Midmida, Block & Tehsil Sarangarh, District Raigarh (C.G.)

5. Shri Bhojram Bhardwaj, Aged about 54 years, Presently working as Peon, Government Girls Middle School, Village Putkapuri, Pusour, District Raigarh (C.G.)
6. Shri Dilaram Mahilane, S/o Shri Ramcharan, Aged about 48 years, Presently working as Peon, Government Higher Secondary School, Village Godam, Block & Tehsil Sarangarh, District Raigarh (C.G.)
7. Shri Ashok Kumar Jaatwar, Aged about 48 years, Presently working as Peon, Government Higher Secondary School, Village Ucchbhithi, Gejamuda, District Raigarh (C.G.)
8. Shri Brahmaprakash Ajgalle, Aged about 47 years, Presently working as Peon, Government Higher Secondary School, Village Hardi, Block & Tehsil Sarangarh, District Raigarh (C.G.)
9. Mohan Lal Mehar, Presently working as Peon, Government Higher Secondary School, Bhedwan, District Raigarh (C.G.)
10. Premanand Yadav, Presently working as Peon, Government Higher Secondary School, Kodatarai, District Raigarh (C.G.)
11. Yujin Ekka, Presently working as Peon, Government Higher Secondary School, Jatri, District Raigarh (C.G.)
12. Vivekanand Patnaik, Presently working as Peon, Government Higher Secondary School, Kashichua, District Raigarh (C.G.)
13. Geeta Prasad Sahu, Presently working as Peon, Government Higher Secondary School, Kedar, District Raigarh (C.G.)
14. Kamil Ekka, Presently working as Peon, DET, Dharamjaigarh, District Raigarh (C.G.)
15. Vasudev Kumar Vishwas, Presently working as Peon, Office of District Education Officer, Raigarh, District Raigarh (C.G.)
16. Fulbihari Patel, Presently working as Peon, Government Girls Higher Secondary School, Sarangarh, District Raigarh (C.G.)
17. Jagadish Mahana, Presently working as Peon, Government Higher Secondary School, Chhichhor Umariya, District Raigarh (C.G.)
18. Pitambar Sai, Presently working as Peon, Block Education Officer, Raigarh, District Raigarh (C.G.)
19. Harinath Yadav, Presently working as Peon, Government Higher Secondary School, Usraut, District Raigarh (C.G.)
20. Ku. Pushpalata Sidar, Presently working as Peon, Government Higher Secondary School, Kotra, District Raigarh (C.G.)
21. Shrilal Sidar, Presently working as Peon, Government Higher Secondary School, Gorra, District Raigarh (C.G.)
22. Ugansai Bada, Presently working as Peon, Government Higher

Secondary School, Jamgaon, District Raigarh (C.G.)

23. Sonuram Sanwara, Presently working as Peon, Government Girls High School, Pusore, District Raigarh (C.G.)
24. Siril Ram, Presently working as Peon, Government Higher Secondary School, Jhalbaramkela, District Raigarh (C.G.)
25. Dilip Kumar Sidar, Presently working as Peon, Office of Block Education Officer, Baramkela, District Raigarh (C.G.)
26. Shridhar Ram, Presently working as Peon, DET, Dharamjaigarh, District Raigarh (C.G.)
27. Devanand Bhoy, Presently working as Peon, Office of Block Education Officer, Pusore, District Raigarh (C.G.)
28. Laldev Ram, Presently working as Peon, Navin Government Girls Higher Secondary School, Raigarh, District Raigarh (C.G.)
29. Thakur Sai Paikra, Presently working as Peon, Government Middle School, Boirdadar, District Raigarh (C.G.)
30. Onkar Singh Sidar, Presently working as Peon, Government Middle School, Regda, District Raigarh (C.G.)
31. Budhram Ratre, Presently working as Peon, Government High School, Aurda, District Raigarh (C.G.)
32. Husram Koshle, Presently working as Peon, Government Higher Secondary School, Mahapalli, District Raigarh (C.G.)
33. Dinbandhu Sidar, Presently working as Peon, Government Middle School, Tadola, District Raigarh (C.G.)

---- Respondents

For Petitioners: Mrs. Naushina Afrin Ali, Advocate.

For Respondents/State: Mr. Ratan Pusty, Govt. Advocate.

For Respective Private Respondents: -

Mr. Ajay Kumar Dwivedi and Mr. Dhaniram Patel,
Advocates.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/02/2018

1. Heard.

2. Learned counsel for the petitioners submits that though the representations of the petitioners have been rejected and the

petitioners have not been granted seniority from the date of their pay fixation, but now, they have become eligible for promotion on the post of Assistant Grade-III which is not being considered on the ground of pendency of these writ petitions.

3. These writ petitions are finally disposed of with a direction that if the petitioners have become eligible for promotion on the post of Assistant Grade-III, their cases will be considered for promotion on the said post as and when the vacancy arises, in accordance with the rules. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma