

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6222 of 2010**

1. Bhojram Patel, S/o Shri Heeralal Patel, aged about 40 years
Occupation - Shikshakarmi Grade-I Posted at Govt. Higher
Secondary School - Tarapur, Block, Tahsil And District - Raigarh
(CG)
2. Kiran Kumar Patel, S/o Shri Salikram Patel, aged about 32 years,
Occupation - Shikshakarmi Grade-I posted at Govt. Higher
Secondary School - Tarapur, Block, Tahsil & District-Raigarh (CG)
3. Narendra Kumar Chauhan, S/o Shri Laxman Prasad Chauhan,
aged about 40 years, Occupation - Shikshakarmi Grade - I posted
at Govt. Middle School - Garhumaria, Block & Tahsil - Pusaur,,
District - Raigarh (CG)

---- Petitioners**Versus**

1. The State of Chhattisgarh, Through - Secretary, Department of
School Education, Mantralaya, D.K.S. Bhawan, Raipur (CG)
2. The Department of Panchayat and Rural Welfare, Through - Its
Secretary, Mantralaya, D.K.S. Bhawan, Raipur (CG)
3. The District Education Officer, Raigarh, District - Raigarh (CG)
4. The Chief Executive Officer, Jila Panchayat - Raigarh, District -
Raigarh (CG)
5. The Director, Department of Public Instruction, Sanchanalaya,
Chhattisgarh, Raipur.
6. Bhuwan Lal Patel, Shri Lal Kumar Patel, aged about 38 years
Head Master, Primary School Doomarpali (West) Raigarh (CG)
7. Ghanshyam Singh Patel, S/o Shri Tej Singh Patel, aged about 34
years, Head Master, Primary School Usrout, Raigarh (CG)

---- Respondents**WPS No. 431 of 2011**

1. Shyam Kumar Patel, S/o Harihar Prasad Patel, aged about 40
years, Siksha Karmi Grade-I, Government Higher Secondary
School, Kunjemura, Block-Tamnara, District Raigarh (CG)
2. Chhabilal Choudhari , S/o Hariram, aged about 41 years, Siksha

Karmi Grade-I, Government Higher Secondary School,
Kanshichuwa, District Raigarh (CG)

3. Vidyacharan Banaj, S/o Awadhram Banaj, aged about 40 years,
Siksha Karmi Grade-I, R/o village & post Kosir, Tahsil Sarangarh
District Raigarh (CG)

---- **Petitioners**

Versus

1. State of Chhattisgarh, through - The Secretary, Ministry of School
Education Department, D.K.S. Bhawan, Raipur (CG)
2. The District Education Officer, office of District Education Officer,
Raigarh, District - Raigarh (CG)
3. Director, Department of Public Instruction, Raipur (CG)

---- **Respondents**

WPS No. 5184 of 2011

1. Ramkumar Choubey, S/o Shri Hiralal Choubey, aged about 48
years, Headmaster, Primary School Thakurwela, District
Rajnandgaon (CG)
2. Johan Ram, S/o Shankar Lal Sahu, aged about 50 years,
Assistant Teacher, Govt. Primary School Bharregaon, Block
Rajnandgaon, District Rajnandgaon (CG)

---- **Petitioners**

Versus

1. State of Chhattisgarh, Through - the Secretary, Department of
School Education, D.K.S. Bhawan, Raipur (CG)
2. District Education Officer, Rajnandgaon, District Rajnandgaon
(CG)
3. Zila Panchayat, through Chief Executive Officer, Rajnandgaon,
District Rajnandgaon (CG).

---- **Respondents**

WPS No. 6227 of 2010

1. Priti Pandey, aged about 34 years, W/o Shri Niranjay Pandey
(before marriage Priti Shukla), Shiksha Karmi Grade-II, Govt.
Middle School, Khamtarai, Block Bilha, Dist. Bilaspur (CG)
2. Smt. Poornima Manikpuri, aged about 39 years, W/o G.D.
Manikpuri, Shiksha Karmi Grade-II, Shahid Nutan Soni

Government Higher Secondary School Ratanpur, Block Kota,
Distt. Bilaspur (CG)

---- **Petitioners**

Versus

1. State of Chhattisgarh, Through - the Secretary, Education Department, D.K.S. Bhawan, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Bilaspur, Bilaspur (CG)

---- **Respondents**

WPS No. 6242 of 2010

1. Harshvardhan Shrivastava, S/o Shri Raghvendra Shrivastava, aged about 25 years, Posted as Shiksha Karmi Grade-III at Primary School Naagaon, Block Kota, Distt. Bilaspur (CG)
2. Nisha Nagdaune, D/o Shri Apaji Nagdaune, aged about 43 years, Posted as Shiksha Karmi Grade-III at Primary School Navagaon, Block Kota, Distt. Bilaspur (CG)
3. Manoj Kumar Sahu, S/o Shri Aghoriram Sahu, aged about 40 years, Posted as Shiksha Karmi Grade-III at Primary School Rigwar, Block Kota, Distt. Bilaspur (CG)
4. Roshan Dubey, S/o Late P.N. Dubey, aged about 25 years, Posted as Shiksha Karmi Grade-III at Primary School Laripara, Block Kota, Distt. Bilaspur (CG)

---- **Petitioners**

Versus

1. The State of Chhattisgarh, through - the Secretary, School Education Department, D.K.S. Bhawan, Raipur (CG)
2. The Secretary, Panchayat and Rural Development Department, D.K.S. Bhawan, Raipur (CG)
3. The District Education Officer, Bilaspur, District Bilaspur (CG)

---- **Respondents**

WPS No. 6275 of 2010

1. Surendra Kumar Dahariya, S/o Shri Bhansingh Dahariya, aged about 38 years, Shiksha Karmi Grade III, posted at Government Primary School, Shivshagar Dhangava, Block Masturi, District Bilaspur CG, R/o Shivshagar Dhangava, Block Masturi, District Bilaspur CG
2. Basant Kumar Jaiswal, S/o Shri Ram Krishna Jaiswal, aged about

35 years, Shiksha Karmi Grade III, posted at Government Primary School, Dhanuhar Para Kukada, Block Masturi, District Bilaspur CG.

3. Ram Das Gandharva, S/o Shri Panch Ram Gandharva, aged about 39 years, Shiksha Karmi Grade III, posted at Government Primary School Naiyapara Loharsi, Block Masturi, District Bilaspur CG.
4. Ram Kumar Sahu, S/o Shri Gopal Ram Sahu, aged about 32 years, Shiksha Karmi Grade III, posted at Government Primary School, Vidyadih, Block Masturi, District Bilaspur CG
5. Smt. Vinti Tiwari, W/o Mr. Rajendra Prasad Tiwari, aged about 34 years, Shiksha Karmi Grade III, posted at Government Primary School Naiyapara Loharsi, Block Masturi, District Bilaspur CG
6. Premlal Rai, S/o Shri Ram Singh, aged about 39 years, Shiksha Karmi Grade III, posted at Government Primary School Madhuban Mohalla, Bhagwanpali, Block Masturi, District Bilaspur CG
7. Salamuddin, S/o Shri Sirajuddin, aged about 40 years, Shiksha Karmi Grade III, posted at Government Primary School Bhatapara Khamariya, Block Masturi, District Bilaspur CG
8. Sanjay Pandey, S/o Shri N.C. Pandey, aged about 42 years, Shiksha Karmi Grade III, posted at Government Primary School Indira Avas, Block Masturi, District Bilaspur CG
9. Balram Jogi, S/o Shri Renju Ram Jogi, aged about 34 years, Shiksha Karmi Grade III, posted at Government Primary School Indira Avas, Block Masturi, District Bilaspur CG

---- Petitioners

Versus

1. State of Chhattisgarh, through - The Secretary, Department of School Education , D.K.S. Building, Raipur (CG)
2. District Education Officer, Education District Baloda Bazar, District -Raipur (CG)
3. District Education Officer, Bilaspur, District Bilaspur (CG)
4. Director, Department of Public Instruction, Raipur, District Raipur (CG)
5. The Director, Directorate of Panchayat and Rural Development, Raipur, District Raipur (CG)

---- Respondents

WPS No. 6304 of 2010

1. Arun Kumar Sahu, aged about 34 years, son of Shri Bhulau Ram Sahu, Shiksha Karmi Grade-III, Village Shamedih Post Jara Palari, District Raipur (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh, through - The Secretary, Education Department, D.K.S. Building, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Building, Raipur (CG)
3. District Education Officer, Baloda Bazar, Baloda Bazar (CG)
4. Director of Public Instruction, Raipur (CG)
5. Sanjay Tiwari, Son of Shri RC Tiwari, aged about 42 years, Occupation Service, presently posted as Head Master, Government Primary School, Khaira, Tahsil Palre, District Raipur, Chhattisgarh, R/o Village Khaira, Tahsil Palre, District Raipur, Chhattisgarh.

---- Respondents**WPS No. 6305 of 2010**

1. Ram Ratan Milan, S/o Paras Ram Milan, Govt. Shiksha Karmi Class III, Colony Ganj Pantora, Block Baloda, District Janjgir Champa (CG)
2. Narendra Kumar Lahre, S/o Shri Harchand Lahre, Siksha Karmi Class III, P.S. Bachod, Block Bachod, Distt. Janjgir Champa, village Kubda, Post Mahuda, District Janjgir Champa,

---- Petitioners**Versus**

1. State of Chhattisgarh, through - The Secretary, Education Department, D.K.S. Building, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Building, Raipur (CG)
3. District Education Officer, Baloda Bazar, Baloda Bazar (CG)
4. Director of Public Instruction, Raipur (CG)
5. Sanjay Tiwari, Son of Shri RC Tiwari, aged about 42 years, Occupation Service, presently posted as Head Master, Government Primary School, Khaira, Tahsil Palre, District Raipur,

Chhattisgarh, R/o Village Khaira, Tahsil Palre, District Raipur, Chhattisgarh.

---- Respondent

WPS No. 6336 of 2010

1. Santosh Kumar Thakur S/o Jagatram Thakur, aged about 33 years, Posted as Shiksha Karmi Grade-II at Boys Middle School Sonasili, Block Pithaura, District Mahasamund CG

---- Petitioner

Versus

1. The State of Chhattisgarh, through the Secretary, School Education Department , D.K.S. Bhawan, Raipur (CG)
2. The Secretary, Panchayat and Rural Development Department , D.K.S. Bhawan, Raipur (CG)
3. The District Education Officer, Mahasamund, District Mahasamund (CG)
4. The Block Education Officer, Pithaura, District Mahasamund (CG)

---- Respondents

WPS No. 6384 of 2010

1. Shobharam Khunte, S/o Shri Dhaniram Khunte, aged about 41 years, Shiksha Karmi Grade-I, Govt. Higher Secondary School, Pirda, Malkharoda, District Janjgir Champa (CG)
2. Mangal Das Bhardwaj, S/o Shri Maheshram Bhardwaj, Shiksha Karmi Grade-I, Govt. Higher Secondary School Nariyara Malkharoda, District Janjgir-Champa.
3. Smt. Uttara Manher (before marriage Ku. Uttra Satranj), aged about 40 years, W/o Shri Governdhan Prasad Manher, Shiksha Karmi Grade-I, Govt. Higher Secondary School Fagurm, Malkharoda, District Janjgir-Champa (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through - The Secretary, Education Department, D.K.S. Bhawan, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Bilaspur, Bilaspur (CG)
4. Director Public Instruction, Raipur (CG)

---- Respondents**WPS No. 6407 of 2010**

1. Pawan Kumar Dewanganm S/o Shri Tikaram Dewangan, aged about 40 years, R/o Nayapara Ward, Bhatapara, Shiksha Karmi Grade-III, Primary School Khapradih, District Raigarh (CG)
2. Pramod Dhru, S/o Ramkhilawan, aged about 38 years, R/o PS Godhi, Shiksha Karmi Grade-III, Primary School Godhi, District Raigarh.
3. Smt. Manish Verma, W/o Tejram Verma, aged about 32 years, R/o Parshuram Ward, Bhatapara, Shiksha Karmi Grade-III, posted at Primary School Datrenga, District Raigarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, Through - Secretary, Department of School Education, D.K.S. Bhawan, Raipur (CG)
2. District Education Officer, Education District Office, Balodabazar, District Raipur (CG)
3. District Education Officer, Education District Office, Bilaspur, District Bilaspur (CG)
4. The Directorate Public Instruction, Raipur, Distt. Raipur (CG).

---- Respondents**WPS No. 6420 of 2010**

1. Ajay Agnihotri, son of Shri Devi Prasad Agnihotri, aged about 37 years, Govt. Shiksha Karmi Grade-III, Govt. Primary School, Ghoshhara, Gram panchayat Mohdanda, District Bilaspur (CG)
2. Kundan Prasad Patre, son of Shri Gajji Lal Patre, aged 40 years, Shiksha Karmi Class-III, Govt Primary School, Gandapara Block Lormi, District - Bilaspur C.G.
3. Vinod Kumar Sahu, son of Shri Fagunram, aged 42 years, Shiksha Karmi Class-III, Govt Primary School, Gopalpur, Block Lormi, District - Bilaspur C.G.
4. Dinesh Kumar Dadsena, son of Shri Ramkhilawan Dedsena, aged 40 years, Shiksha Karmi Class-III, Govt. Primary School, Faujdarcapa, Block Lormi, District - Bilaspur C.G.
5. Santosh Singh Thakur, son of Shukhnandan Singh Thakur, aged 36 years, Shiksha Karmi Class-III, Govt Primary School, Urihapara

Block Lormi, District - Bilaspur C.G.

6. Ashok Kumar Sahu, son of Shri Balmukund Sahu, aged 39 years, Shiksha Karmi Class-III, Govt. Primary School- Gondkhamhi, District - Bilaspur C.G.
7. Dineshwari Sahu, aged 38 years, W/o Shri Santram Sahu, Shiksha Karmi Class-III, Govt Primary School, Pandakapa, Tehsil Takhatpur, District - Bilaspur C.G.
8. Santram Sahu, S/o Anjori Ram Sahu, aged 39 years, Shiksha Karmi Class-III, resident of Chandiabhata, District - Bilaspur C.G.

---- Petitioners

Versus

1. State of Chhattisgarh, through - The Secretary, Education Department, D.K.S. Bhawan, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Bilaspur (CG)
4. Director Public Instruction, Raipur (CG)

---- Respondents

WPS No. 6635 of 2010

1. Chaitanand Singh Rathiya, Son of Jugal Kishore Rathiya, aged about 35 years, working as Shiksha Karmi Grade-1, Govt. Middle Sisinga, Block Dharamjaigarh, District Raigarh, Chhattisgarh
2. Smt. Emrensia Minj, wife of Raghuveer Minj, aged about 35 years, working as Shiksha Karmi Grade-1, Govt. Middle School, Bagudega, Block Dharamjaigarh, District Raigarh, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh, through - Secretary, School Education Department, D.K.S. Bhawan, Mantralaya, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Raigarh, District Raigarh (CG)

---- Respondents

WPS No. 6636 of 2010

1. Sundar Toppo, son of Sadhuram Toppo, aged about 47 years, working as Shiksha Krami Grade-2 Govt. Middle School Khurd, Block Dharamjaigarh District Raigarh, Chhattisgarh
2. Sanjay Kumar Patel, son of Antaram Patel, aged about 35 years, working as Shiksha Krami Grade-2 Govt. Middle School Thakurpodi, Block Dharamjaigarh District Raigarh Chhattisgarh.
3. Balmoti Ekka, son of Lachuram Ekka, aged about 39 years, working as Shiksha Krami Grade-2 Govt. Middle School Balakpodi, Block Dharamjaigarh District Raigarh, Chhattisgarh.
4. Ramcharan Sahu, son of Jailal Sahu, aged about 33 years, working as Shiksha Krami Grade-2 Govt. Middle School Khapunga, Block Dharamjaigarh District Raigarh, Chhattisgarh
5. Smt. Durga Bhakta, son of Ravindra Bhakta, aged about 45 years, working as Shiksha Krami Grade-2 Govt. Middle School Khadgaon, Block Dharamjaigarh District Raigarh, Chhattisgarh
6. Harsh Ram Chaidhri, son of Nathuram Patel, aged about 37 years, working as Shiksha Krami Grade-2 Govt. Primary School Madanpur, Block Dharamjaigarh District Raigarh, Chhattisgarh
7. Raju Baik, son of Dharmu Baik, aged about 40 years, working as Shiksha Krami Grade-2 Govt. Middle School Ganpatpur, Block Dharamjaigarh District Raigarh, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh, through - Secretary, School Education Department, D.K.S. Bhawan, Mantralaya, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Raigarh, District Raigarh (CG)

---- Respondents

WPS No. 6642 of 2010

1. Mange Baik, son of Dharmu Baik, aged about 45 years, working as Shiksha Krami Grade-3, Primary School Jorilaama, Block Dharamjaigarh District Raigarh, Chhattisgarh
2. Shyam Lal Nag, son of Bhojram Nag, aged about 45 years, working as Shiksha Krami Grade-3, Primary School Navapara, Block Dharamjaigarh District Raigarh, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh, through - Secretary, School Education Department, D.K.S. Bhawan, Mantralaya, Raipur (CG)
2. Secretary, Panchayat Department, D.K.S. Bhawan, Raipur (CG)
3. District Education Officer, Raigarh, District Raigarh (CG)

---- Respondent

WPS No. 6733 of 2010

1. Dharmendra Kumar Patel, S/o Jai Mangal Singh Patel, aged about 39 years, Shiksha Karmi Grade-I (Physics), Govt. Higher Secondary School - Kotmi, Block- Dabhara, District Janjgir-Champa C.G.
2. Sanker Prasad Sidar, S/o Bethiyer Sidar, aged about 40 years, Shiksha Karmi Grade-I (Geography) Govt. Higher Secondary School Kotmi, Block- Dabhara, Distt. Janjgir-Champa C.G.

---- Petitioners

Versus

1. State Of Chhattisgarh, thorough School Education Department, DKS Bhawan, Raipur (CG)
2. The Secretary, State of Chhattisgaarh Panchayat & Social Services, C.G. State, Raipur (C.G.)
3. The District Education Officer, District Janjgir Champa (CG)

---- Respondents

WPS No. 6794 of 2010

1. Bajrang Singh Maravi, S/o Gendram Maravi, aged about 37 years, Shiksha Karmi Grade-III, Govt. Boys Primary School Jawalpur, Block Balouda, District Janjgir Champa (CG)
2. Naresh Kumar Gurudwan, S/o Umashanker Gurudwan, aged about 37 years, Shiksha Karmi Grade III, Govt. Girls Primary School Charpara, Block Balouda DistrictJanjgir Champa (CG)

---- Petitioners

Versus

1. State Of Chhattisgarh, thorough School Education Department, DKS Bhawan, Raipur (CG)
2. The Secretary, State of Chhattisgaarh Panchayat & Social

Services, C.G. State, Raipur (C.G.)

3. The District Education Officer, District Janjgir Champa (CG)

---- Respondents

WPS No. 6854 of 2010

1. Chandrabhanu Mishra, S/o Ravinshankar Mishra, aged about 47 years, R/o Ward No.8, Behind Rest House, Jhilmila, Saraipali District Mahasamund (CG)
2. Mohd. Aleem, S/o Mohd. Ismile, aged about 38 years, R/o Village Khatkhathi, Post Basna, District Mahasamund (CG)
3. Vikram Kumar Yadav, S/o Piladau Yadav, aged about 38 years, R/o Mohda, Post Amarkot via Saraipali, District Mahasamund (CG)
4. Punaram Verma, S/o Jogiram Verma, aged about 36 years, R/o Ward No.1, Ravanbhatapara, Pithora, District Mahasamund (CG)
5. Santosh Kumar Thakur, S/o Jagatram Thakur, aged about 33 years, R/o Village Rampur, Post Kishanpur, Block Pithora, District Mahasamund (CG)
6. Kishorchandra Das, S/o Avduth Das, aged about 39 years, R/o Chhuipali, Post Singoda, Block Saraipali, District Mahasamund (CG)
7. Khageshwar Dadsena, S/o Sukhiram Dadsena, aged about 40 years, R/o behind Middle School, Pithora, District Mahasamund (CG)
8. Manbodhram Sidar, S/o Ganeshram Sidar, aged about 43 years, R/o Sakra, District Mahasamund (CG)
9. Sanjay Kumar Kar, S/o Lalbihari Kar, aged about 36 years, R/o Govt. Adarsh Higher Secondary School, Basna, District Mahasamund (CG)
10. Shyamlal Sahu, S/o Harishchandra Sahu, aged about 40 years, R/o Baradoli, Tahsil Saraipali, District Mahasamund (CG)
11. Tarun Kumar Patel, S/o Reshamlal Patel, aged about 40 years, R/o Barnaidadar, via Jagdishpur, District Mahasamund (CG)
12. Anil Kumar Singh Sardar, S/o Ramji Sardar, aged about 36 years, R/o Pithora, District Mahasamund (CG)
13. Mahesh Kumar Bariha, S/o Chaitram Bariha, aged about 35 years, R/o village Bhajpuri, Post Bhagatdevri, Via Sakra, District Mahasamund (CG)

14. Anurag Pankaj Kumar, S/o Hari Kumar, aged about 36 years, R/o Govt. Higher Secondary School, Bundeli, District Mahasamund (CG)
15. Virendra Kumar Sao, S/o Ganesh Ram Sao, aged about 36 years, R/o Post Baroli, Block Basna, District Mahasamund (CG)
16. Manohar Lal Patel, S/o Shiv KUMar Patel, aged about 37 years, R/o Kumhari, Post Singhanpur, Via Basna, District Mahasamund (CG)
17. Brindavan Nayak, S/o Kunjram Nayak, aged about 38 years, R/o Rajpalpur, Block Pithora, District Mahasamund (CG)
18. Baldev Mishra, S/o Late Makardhwaj, aged about 45 years, R/o Thanapara, Basna, District Mahasamund (CG)
19. Upendra Kumar Barihar, S/o Makardhwaj Barihar, aged about 36 years, R/o post Kalenda, Saraipali, District Mahasamund (CG)
20. Naresh Kumar Barik, S/o Devcharan Barik, aged about 33 years, R/o village Bhikapali, Post Kendudar, Saraipali, District Mahasamund (CG)
21. Vidyacharan Sahu, S/o Antaryami Sahu, aged about 40 years, R/o Beltikri, Post Singhoda, District Mahasamund (CG)
22. Smt. Sheela Vishwas, D/o Shivpad Vishwas, aged about 29 years, R/o Village Singhoda, District Mahasamund (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, Through - Secretary, School Education Department, D.K.S. Bhawan, Raipur, District Raipur (CG)
2. Directorate Public Instruction, Directorate, Chhattisgarh Raipur (CG).
3. District Education Officer, Mahasamund, District Mahasamund (CG)
4. Chief Executive Officer, Zila Panchayat, Mahasamund, District Mahasamund (CG)
5. Secretary, Panchayat & Gramin Vikas Vibhag, DKS Bhawan, Raipur, District Raipur (CG)

---- Respondents

WPS No. 6856 of 2010

1. Vijay Kumar Panda, S/o Shri Ling Raj Panda, aged about 35 years, R/o Ward No.13, Behind Police Thana, Gharghoda, Tahsil-Gharghoda, District Raigarh (CG) presently posted as Shiksha Karmi Grade-II, Girls Higher Secondary School, Gharghoda, District Raigarh (CG)
2. Sunil Kumar Patel, S/o Shri Bhagirathi Patel, aged about 34 years, R/o Village Jhariyapali, Post Deogarh, Tahsil Gharghoda, Distt. Raigarh (CG) presently posted as Shiksha Karmi Grade-II, Middle School-Bhendra, Block Gharghoda, District Raigarh (CG)
3. Santash Kumar Kashyakar, S/o Shri Vijay Kumar Kasyakar, aged about 37 years, R/o Village Barpali, Block Tamnar, Tahsil Gharghoda, District Raigarh (CG) presently posted as Shiksha Karmi Grade II, Middle School-Bhaloomar, Block Gharghods, District Raigarh (CG)
4. Laxman Ram Yadav, S/o Shri Hulas Ram Yadav, aged about 43 years, R/o Village Baroad, Post Baroad, Tahsil Gharghoda, District Raigarh (CG) presently posted as Shiksha Karmi Grade II, Middle School- Katajhariya, Block Gharghoda, District Raigarh (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, Through - the Secretary, School Education Department, D.K.S. Bhawan, Raipur (CG)
2. The Secretary, Panchayat and Gramin Vikas Department, D.K.S. Bhawan, Raipur (CG)
3. Directorate Public Instruction, Raipur, District Raipur (CG).
4. District Education Officer, Raigarh, District Raigarh (CG)

---- Respondents

WPS No. 6912 of 2010

1. Virendra Dubey, aged about 36 years, S/o Ram Kumar Dubey, R/o 34, State Bank Colony, Sundar Nagar, Raipur.
2. Satendra Pratap Singh, aged about 36 years, S/o Surendra Pratap Singh, R/o Ward 17, Kurmipara, Bematara, District Durg.
3. Chandra Shekhar Tiwari, aged about 34 years, S/o Rajearam Tiwari, R/o Shekhar Sadan Near Old Shiv Mandir, Subhash Nagar, Durg

---- Petitioners

Versus

1. State of Chhattisgarh, Through - the Secretary, General Administration Department, D.K.S. Bhawan, Raipur
2. Secretary, School Education Department, D.K.S. Bhawan, Raipur
3. Secretary, Panchayat & Rural Department, D.K.S. Bhawan, Raipur
4. District Education Officer, Education District Baloda Bazar
5. District Education Officer, Bilaspur.

---- Respondents

WPS No. 6917 of 2010

1. Laxmi Prasad Sonjhari, S/o Late Shri Sadhram Sonjhari, aged about 34 years, Shiksha Karmi Grade III Govt Primary School Madanpurgarh, Block Balouda District Janjgir Champa (CG)
2. Sampat Das Manikpuri, S/o Sukhi Das Manikpuri, aged about 40 years, Shiksha Karmi Grade III Govt Primary School Birgahani (C), Block Balouda District Janjgir Champa (CG)
3. Vishwanath Prasad Sahu, S/o Shri Nanki Ram Sahu, aged about 38 years, Shiksha Karmi Grade III Govt Primary School Darrabhata, Block Balouda District Janjgir Champa (CG)
4. Dinesh Kumar Khairwar, S/o Shri Dauram Khairwar, aged about 40 years, Shiksha Karmi Grade III Govt Primary School Parsabhata, Block Balouda District Janjgir Champa (CG)
5. Purushottam Kumar Ratre, S/o Late Shri Chhoturam Ratre, aged about 40 years, Shiksha Karmi Grade III Govt Primary School Bhilai, Block Balouda District Janjgir Champa (CG)
6. Dileep Kumar Ratre, S/o Shri Khulan Prasad Ratre, aged about 43 years, Shiksha Karmi Grade III Govt Primary School Goud, Block Balouda District Janjgir Champa (CG)
7. Smt. Lachhanbai Khairwar, W/o Shri Ramswaroop Khairwar, aged about 45 years, Shiksha Karmi Grade III Govt Primary School Kandara, Block Balouda District Janjgir Champa (CG)
8. Meghest Dev Singh Tanwar, S/o Shri Goukaran Singh Tanwar, aged about 43 years, Shiksha Karmi Grade III Govt Boys Primary School Pantora, Block Balouda District Janjgir Champa (CG)
9. Navratan Singh Kanwar, S/o Shri Mohan Singh Kanwar, aged about 38 years, Shiksha Karmi Grade III Govt Primary School Hedaspur, Block Balouda District Janjgir Champa (CG)
10. Suresh Kumar Kaiwartya, S/o Shri Harihar Prasad Kaiwartya, aged about 46 years, Shiksha Karmi Grade III Govt Primary

School Mahuda (C), Block Balouda District Janjgir Champa (CG)

11. Dayal Binjhawar, S/o Shri Sukul Ram Binjhwar, aged about 41 years, Shiksha Karmi Grade III Govt Primary School Khoha, Block Balouda District Janjgir Champa (CG)
12. Smt. Khokbai Binjhawar, W/o Shri Dayal Binjhawar, aged about 40 years, Shiksha Karmi Grade III Govt Primary School Ouraikhurd, Block Balouda District Janjgir Champa (CG)
13. Smt. Gayatri Jaiswal, W/o Shri Khilawan Prasad Jaiswal, aged about 42 years, Shiksha Karmi Grade III Govt. Girls Primary School Pantora, Block Balouda District Janjgir Champa (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through School Education Department, DKS Bhawan, Raipur (CG)
2. The Secretary, State of Chhattisgarh Panchayat & Social Services, C.G. State, Raipur (C.G.)
3. The District Education Officer, District Janjgir Champa (CG)

---- Respondents

WPS No. 6928 of 2010

1. Budhram Ghritlahare, S/o Bhukauram Ghritlahare, aged about 39 years, working as Shiksha Karmi Grade-3, Govt. Primary School Khaira (Ka), Block Kasdole, District Raipur (CG)
2. Muritram Shrivastava, S/o Fhirat Ram Shrivastava, aged about 34 years, Shiksha Karmi Grade-3, Primary School Asnind, Post Hasaund, Block Kasdole, District Raipur (CG)
3. Pyarelal Garg, S/o Bhagbali Garg, aged about 41 years, working as Shiksha Karmi Grade-III, Primary School Harijanpara, Kusmunda, Bhatapara, District Raipur (CG)
4. Moolchand Kaushal, Son of Mangal Kaushal, aged about 48 years, working as Shiksha Karmi Grade-III, Primary School Koni, Bhatapara, District Raipur (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through Secretary, School Education

Department, DKS Bhawan, Mantralaya, Raipur (CG)

2. Secretary, Panchayat Department, DKS Bhawan, Raipur (C.G.)
3. District Education Officer, District Raigarh, District Raigarh (CG)

---- Respondents

WPS No. 7574 of 2010

1. Smt. Manju Tiwari, W/o Shri Manoj Tiwari, aged about 38 years, Shiksha Karmi Grade-I, Govt. Higher Secondary School Karanja Bhilai, District Durg (CG)
2. Smt. Salil Sharma (Before marriage Ku. Salil Bala Shukla), W/o Vikash Sharma, aged about 36 years, Shiksha Karmi Grade-II, Government Higher Secondary School Jamgaw, Block Patan, District Durg (CG)
3. Smt. Kavita Dewangaon, W/o Shri Rovit Kumar, aged about 35 years, Shiksha Karmi Grade-II, Government Higher Secondary School Malud, Durg, District Durg (CG)
4. Smt. Anju Tripathi (before marriage Anju Ojha), W/o Shri Sanjay Kumar Tripathi, aged about 34 years, Shiksha Karmi Grade-II, Government Higher Secondary School Dhaur, District Durg (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Education Department, DKS Bhawan, Raipur (CG)
2. Secretary, Panchayat Department, DKS Bhawan, Raipur (C.G.)
3. District Education Officer, Bemetara, District Durg (CG)

---- Respondents

WPS No. 7575 of 2010

1. Komal Prasad Chandra, S/o Shri Niranjan Prasad, aged about 39 years, Shiksha Karmi Grade-01, Govt. Higher Secondary School Andil, Tah. Malkharoda, District Janjgir Champa (CG)
2. Doctor Prasad Pradhan, S/o Shri Ramadhar Pradhan, aged about 39 years, Shiksha Karmi Grade-1, Govt. High School Devagarh, Block Sakti, District Janjgir Champa (CG)
3. Mansha Ram Sahu, S/o Shri Chirtamani Sahu, aged about 39 years, Shiksha Karmi Grade-1, Government Higher Secondary School Singhara, District Janjgir Champa (CG)

4. Anil Kumar Sahu, S/o Shri K.N. Sahu, Shiksha Karmi Grade-III, Government New Primary School Gureradih, istrict Janjgir Champa (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Education Department, DKS Bhawan, Raipur (CG)
2. Secretary, Panchayat Department, DKS Bhawan, Raipur (C.G.)
3. District Education Officer, Janjgir Champa, District Janjgir Champa (CG)

---- Respondents

WPS No. 539 of 2011

1. Nilkanth Patel, S/o Gulab Singh Patel, aged about 37 years, R/o Sonadula (Vill), Sarangarh (Tah.), Raigarh Dist. CG State
2. Bhagirathi Bhardwaj, S/o Shyam Lal, aged about 32 years, R/o Dahida, Sarangarh (Tahsil), Raigarh Dist. CG State
3. Smt. Prem Lata Kosle, W/o Ram Kumar Kosle, aged about 34 years, R/o Nachanpali, Sarangarh Dist, Raigarh Dist. CG State
4. Ram Kumar Kosle, S/o Duaru Kosle, aged about 38 years, R/o Nachanpali, Sarangarh Dist, Raigarh Dist. CG State
5. Tiharu Lal Ware, S/o Shri Khyali Ram Ware, aged about 39 years, R/o Kotmara (Village), Kharre Chhotte, PO, Sarangarh, Raigarh Dist, CG State.
6. Hirahdar Patel, S/o Dhaniram Patel, aged about 35 y ears, R/o Chikhli village, Sarangarh (Tah), Raigarh Dist, CG State.
7. Smt. Puspha Patel, W/o Shri LP Patel, aged about 38 years, R/o Shikshak Colony, Khelbhatta, Sarangarh (Tah), Raigarh Dist, CG State.
8. Smt. Noni Bai Patel, W/o Shri Rati Ram Patel, aged about 42 years, R/o Jaipara (Village), Sarangarh (Tah), Raigarh Dist, CG State.
9. Santh Ram Sahu, S/o Dwarika Sahu, aged about 35 years, R/o Lingaon (Village), Sarangarh (Tah), Raigarh Dist, CG State.
10. Gopi Lal Sahu, S/o Lachman Sahu, aged 42 years, R/o Chind Village, Sarangarh (Tah), Raigarh Dist, CG State.

11. Narsingh Srivas, S/o Shri Bhakku Lal Sirvas, aged about 38 years, Kosir Village, Sarangarh (Tah), Raigarh Dist, CG State.
12. Chait Ram Nagwanshi, S/o Shri Pusao Ram Nagwanshi, aged about 35 years, R/o Kamala Jhar, Sarangarh (Tah), Raigarh Dist, CG State.

---- Petitioners

Versus

1. State of Chhattisgarh, through Secretary, School Education Department, DKS Bhawan, Raipur (CG)
2. District Education Officer, Raigarh, Raigarh Dist, CG State.
3. Block Education Officer, Sarangarh, Raigarh Dist, CG State.

---- Respondents

&

WPS No. 618 of 2011

1. Ravinshankar Prasad, son of Shri M.R. Bansod, aged about 39 years, Occupation-Service, Presently posted as Shiksha Karmi Grade-2 and President of C.G. State Shiksha Karmi Association, Block Unit Chhuikhadan, Rajnandgaon and resident of Chhuikhadan, District Rajnandgaon (CG)

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural, DKS Bhawan, Mantralaya, Raipur (CG)
2. The Secretary, Department of School Education, DKS Bhawan, Mantralaya.
3. District Education Officer, Rajnandgaon (CG)
4. The Chief Executive Officer, Janpad Panchayat Chhuikhadan, District Rajnandgaon (CG)
5. Director, Department of Public Instruction, Raipur.

---- Respondents

For Petitioners	:	Shri Anup Mazumdar, Shri Rakesh Pandey, Shri Ayaz Siddique, Shri Ashwini Shukla, Shri K. R. Nair, Shri Parag Kotecha & Sushri Veena Nair, Advocates for respective petitioners.
For Respondents	:	Shri NK Vyas, Advocate and Shri Gagan Tiwari, Dy. Govt. Advocate for respective respondents
For Intervener	:	Shri K. Rohan & Sushri Pragya Pandey, Advocate.

Hon'ble Shri P. R. Ramchandra Menon, CJ
Hon'ble Shri Parth Prateem Sahu, J

Order On Board

PR Ramchandra Menon, CJ

13/9/2019

1. In all these matters, the petitioners have challenged the validity of the Rules namely 'Chhattisgarh Non-Gazetted Class III Education Service (School Level Service) Recruitment and Promotion Rules, 2008' (for short 'the Rules of 2008') and the steps sought to be taken for filling-up of the post of 'Headmaster' in Primary Schools by giving placement to the 'Shiksha Karmi Grade-I, II & III', who are having an experience of 7 years, in terms of Rule 6, read with the Second Schedule of the above Rules.

2. So as to have the easy understanding of the nature of relief sought for, WPC No.6222/10 is taken as specimen case and the prayers sought for in the said writ petition are extracted below:-

“10.1 That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of mandamus or appropriate writ by declaring that the notification dated-29.5.2010,

No.F-1-56/2008/20-Act, issued by Respondent No.1, in which by way of amendment the words “**Panchayat and Urban Administration Development Department**” has been deleted and inserted the word “**School Education Department**” (**ANNEXURE P-1**) is **ultra vires** in the light of Article 14, 16 and 309 of the Constitution of India.

10.2. That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of mandamus or appropriate writ by declaring that the clause 6 of serial no. 1 of Schedule-2 of Chhattisgarh Non-Gazetted Class III Education Service (School Level Service) Recruitment and Promotion Rules, 2008 provided the extraordinary teaching experience period 7 years for recruitment on the post of Head Master Primary School for Shikshakarmi Grade-I, II and III (**ANNEXURE P-2**) is **Ultra Vires** in the light of Article 14, 16 and 309 of the Constitution of India.

10.3. That, this Hon'ble Court may kindly be pleased to issue a appropriate writ by setting aside / quash the advertisement dated- 14.10.2010 No./4106/ stha.02/ Pra.Pa.Pra.shala/2010, issued by Respondent No.3 (**ANNEXURE P-3**).

10.4. That, this Hon'ble Court may kindly be pleased to issue a appropriate writ/direction to the respondents authority to grant/recognize experience period when the petitioners were working under the Panchayat authority as contract teacher and working period should be counted/recognized as session teaching experience period for the purpose of promotion and seniority etc.

10.5. That, this Hon'ble Court may kindly be pleased

to grant other relief which may be suitable in the facts and circumstances of the case, may also be granted in the favour of the petitioner.”

3. We have heard learned counsel for the respective petitioners, learned counsel representing the State as well as learned counsel representing some of the private respondents, who are present.
4. During the course of hearing, it is brought to the notice of this Court that a learned Judge of this Court, as per order dated 5.3.2012 passed in WPS No.6797/2010 and other connected cases, had held that the Rules under challenge and the Advertisement issued by the authorities concerned were not liable to be sustained. It was also held that the posts of 'Head Master' were to be filled-up only by way of 'promotion' as the Rules stipulated that it was to be done by way of 100% promotion. The learned Judge observed that the appointment by way of 'direct recruitment' was totally alien to the field, more so, when the post of Shiksha Karmis did not come in the feeder cadre. The above finding was rendered even after taking note of the fact that a Division Bench of this Court in WPS No.6055/2010 had already repelled similar challenge raised against the Rules and the Advertisement and it was declared that the Rules as well as Advertisement were valid and sustainable. Virtually, the learned Single Judge diverted from the law declared by the Division Bench while arriving at a finding as above, simultaneously setting aside the appointments given to the persons concerned who were holding the post and continuing for nearly or more than 10 years.

5. The affected parties, who came to be appointed pursuant to the notification, approached this Court by filing appeals with petition for 'leave', pointing out that they were never made parties in the writ petition; that the appointments were set aside without affording them any opportunity of hearing and hence the judgment was liable to be interdicted. When the said matters came up for consideration before a Division Bench of this Court on 22.3.2012, based on the submissions made across the Bar, it was observed that the verdict passed by the earlier Division Bench in WPS No.6055/2010 required reconsideration and accordingly, the matter was referred to Full Bench, though no specific 'term of reference or question' was framed as part of the reference order. On listing the matter, after detailed hearing, the Full Bench passed the verdict on 23.8.2019 in WA No.147/2012 and connected cases, whereby the appeals were allowed. The principles of '**judicial discipline**' were highlighted with reference to the law declared by the Apex Court in **Official Liquidator v. Dayanand** reported in **(2008) 10 SCC 1** and **Dashrath Rupsingh Rathod v. State of Maharashtra & another** reported in **(2014) 9 SCC 129**. It was accordingly, that the verdict passed by the learned Single Judge was set aside and the writ petitions were dismissed, virtually allowing the writ appeals filed by the affected parties as aforesaid.
6. The above declaration was made by the Full Bench with reference to the relevant Rules and in particular, Rules 6 (3) & 6 (4) read with the Second Schedule of the Rules, 2008 and with reference

to the particular circumstances under which the recruitment was sought to be effected by way of 'direct recruitment', by virtue of the enabling provision in the Rules in this regard.

7. In the light of the verdict passed by the Full Bench of this Court, we do not require any second thought to hold that challenge raised in these writ petitions is not liable to be entertained. Writ petitions fail. They are dismissed in terms of the verdict passed by the Full Bench as above.

8. Same analogy will apply in respect of challenge raised as to the Upper Division Teachers in WPS No.5184/2011.

Sd/-
(PR Ramchandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-