

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 33 of 2020**

1. Smt. Nilima Badge W/o Krishna Pandey Aged About 41 Years Working As A.B.E.O. At O/o Block Education Officer, Sakti District Janjgir-Champa (Education District Sakti), Chhattisgarh.
2. Hemant Kumar Sahu S/o Shri Tulsi Ram Sahu Aged About 45 Years Working as A.B.E.O. At O/o The Block Education Officer, Gariyaband, District Gariyaband, Chhattisgarh.
3. Devnath Baghel S/o Suberam Baghel Aged About 41 Years Working As A.B.E.O. At O/o The Block Education Officer, Devbhog, District Gariyaband, Chhattisgarh.
4. Anil Kumar Dhurwa S/o Vimal Singh Dhurwa Aged About 40 Years Working As A.B.E.O. At O/o The Block Education Officer, Fingeshwar, District Gariyaband, Chhattisgarh.
5. Devendra Singh Bahal S/o Bahbal Singh Bahal Aged About 35 Years Working As A.B.E.O. At O/o Block Education Officer, Fingeshwar, District Gariyaband, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur., District : Raipur, Chhattisgarh
2. The Director Public Instructions Chhattisgarh H.Q. Indrawati Bhawan, Nawa Raipur, Atal Nagar., District : Raipur, Chhattisgarh

---- Respondents

For Petitioners : Mr. Faiz Kazi, Advocate
 For Respondent-State : Mr. Chandresh Shrivastava, Deputy AG

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board**Per, P.R. Ramachandra Menon, Chief Justice****08/01/2020**

1. The Petitioner has moved this Court with the following prayers :

“10.a. This Hon'ble Court may be kind enough to call for
 the records of the instant matter.

b. This Honble Court ay be kind enough to direct the respondent State to suitably modify Clause 17 of Schedule II of the Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and promotion Rules of 2019 to remove the discrimination and arbitrariness against the post of Assistant Block Education Officers.

c. Alternatively, this Hon'ble Court my be kind enough to direct the Respondent State to formulate the Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules of 2019 afresh and to increase the ration of the promotional post of Block Education Officer so as to provide equal opportunity to the Assistant Block Education Officers for promotion to the superior post.

d. This Hon'ble Court may be pleased to pass any other order as it deems fit, in the interest of justice.”

2. Heard the learned counsel for the Petitioners as well as the learned counsel representing the State.
3. The grievance projected before this Court is mainly with regard to the existing Rules with regard to the promotion to the post of Block Education Officer/Assistant Director (Administration) and hence seeks modification of Clause 17 of Schedule II of the Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and promotion Rules of 2019.

4. The grievance stated as projected before this Court is not seen raised before the Government for consideration. In the said circumstance, the Petitioners are set at liberty to move the 1st Respondent by projecting the grievance in the form of appropriate representation within one month from today, upon which the same shall be considered and appropriate orders shall be passed by the Government in accordance with law, as expeditiously as possible, preferably within three months from the date of production of representation. The Petitioners shall produce a copy of the verdict along with a copy of writ petition before the 1st Respondent for further steps.
5. It goes without saying that we have not expressed anything with regard to the merits involved.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge