

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.2416 of 2010**

1. Chhattisgarh Shikshak Sangh, Through: The President, Head Office: Near Garud Bhawan, Kotora Talab, Raipur (CG)
2. CG Karmachari Congress, through: The President, Head Qtrs: Bande Colony P.O.: Bande Colony, Distt.: Kanker (CG)
3. Chhattisgarh Anusuchit Jati Jan Jati Adhikari/Karmchhari Sangh Through: The President MG Ward, Kanker, Distt.: Kanker (CG)

----- Petitioners**Versus**

1. State of Chhattisgarh, through the Secretary, Department of School Education, Mantralaya, D.K.S. Bhawan Raipur (CG)
2. State of Chhattisgarh Through the Secretary, Department of Tribal Welfare, Mantralaya, D.K.S. Bhawan Raipur (CG)
3. State of Chhattisgarh Through the Secretary, Department of General Administration, Mantralaya, D.K.S. Bhawan Raipur (CG)
4. The Collector, Distt.: North Bastar, Kanker (Tribal Development Branch)
5. The District Education Officer, Kanker, Distt.: Kanker (CG)

----- Respondents**And****Writ Petition (S) No.5178 of 2010**

1. Chhattisgarh Shikshak Sangh, Through: The President, Chhattisgarh Shikshak Sangh Block: Pakhanjor, Kanker, Distt.: Kanker (CG)
2. CG Karmachari Congress, Through: The President, CG Karmachari Congress, Head Qtrs.: Bande Colony P.O.: Bande Colony, Distt.: Kanker (CG)

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1. State of Chhattisgarh, Through the Secretary, Department of School Education, Mantralaya, D.K.S. Bhawan, Raipur (CG)

2. State of Chhattisgarh, Through the Secretary, Department of Tribal Welfare, Mantralaya, D.K.S. Bhawan Raipur (CG)
3. State of Chhattisgarh Through the Secretary, Department of General Administration, Mantralaya, D.K.S. Bhawan Raipur (CG)
4. The Collector, Distt.: North Bastar, Kanker (Tribal Development Branch)
5. The District Education Officer, Kanker, Distt.: Kanker (CG)
6. Somu Ram Dugge, Upper Division Teacher, Middle School, Eragan, Durgukondal, Dist. Kanker (CG)
7. Ramgopal Usendi, Upper Division Teacher, Middle School, Sonekanhar, Bhanupratappur, Distt. Kanker (CG)
8. Shyamlal Kushan, Upper Division Teacher, Middle School, Dongarkatta, Bhanupratappur, Distt. Kanker (CG)
9. Devlal Nuruti, Upper Division Teacher, Middle School, Bulavand, Antagarh, Distt. Kanker (CG)
10. Barsan Ram Sahu, Upper Division Teacher, Middle School, Girhola, Charama, Distt. Kanker (CG)
11. Banshu Ram Netam, Upper Division Teacher, Middle School, Dudugbahara, Narharpur, Distt. Kanker (CG)
12. Bhaktu Ram Gote, Upper Division Teacher, Middle School, Pewari, Bhanupratappur, Distt. Kanker (CG)
13. Atmaram Salam, Upper Division Teacher, Middle School, Dabena, Narharpur, Distt. Kanker (CG)
14. Govind Ram Nag, Upper Division Teacher, Middle School, Kirkoli, Kanker, Distt. Kanker (CG)
15. Rajendra Kumar Nayak, Upper Division Teacher, Middle School, Kevtintola, Kanker, Distt. Kanker (CG)
16. Munna Lal Kange, Upper Division Teacher, Middle School, Ghodhda, Bhanupratappur, Distt. Kanker (CG)
17. Bhanuram Jurri, Upper Division Teacher, Middle School, Gotitola, Charaga, Distt. Kanker (CG)
18. Jagdish Thakur, Upper Division Teacher, Middle School, Tuegan, Bhanupratappur, Distt. Kanker (CG)
19. Gwal Ram Churendra, Upper Division Teacher, Middle School, Hatkondal, Durgukondal, Distt. Kanker (CG)
20. Ram Kumar Gayakwada, Upper Division Teacher, Middle School, Kohkatola, Narharpur, Distt. Kanker (CG)

21. Smt.Anita Dharami, Upper Division Teacher, Middle School, P.V. 31 Koylibeda, Distt.Kanker (CG)
22. Ashok Kumar Dariyo, Upper Division Teacher, Middle School, Kasavahi, Charaga, Distt.Kanker (CG)
23. Govind Ram Darend, Upper Division Teacher, Middle School, Barvi, Bhanupratappur, Distt.Kanker (CG)
24. Birsuram Gavde, Upper Division Teacher, Middle School, Superintendent Bancha Korar, Bhanupratappur, Distt. Kanker (CG)
25. Sobhi Ram Dehari, Upper Division Teacher, Middle School, Bondanar, Antagarh, Distt. Kanker (CG)
26. Bajju Ram Dugge, Upper Division Teacher, Middle School, Kantagaon, Charaga, Distt. Kanker (CG)
27. Arjun Ram Tekam, Upper Division Teacher, Middle School, Shahkatta, Bhanupratappur, Distt.Kanker (CG)
28. Baliram Nishad, Upper Division Teacher, Middle School, Kodapakha, Durgukondal, Distt.Kanker (CG)
29. Hargovind Sinha, Upper Division Teacher, Middle School, Kirgoli, Kanker, Distt.Kanker (CG)
30. Homan Singh Kunjam, Upper Division Teacher, Middle School, Kurna, Narharpur, Distt. Kanker (CG)
31. Raghunath Singh Sahu, Upper Division Teacher, Middle School, Parrekodo, Antagarh, Distt. Kanker (CG)
32. Govind Ram Sahu, Upper Division Teacher, Middle School, Badetopal, Antagarh, Distt. Kanker (CG)
33. Janakram Sinha, Upper Division Teacher, Boys Middle School, Charaga, Charaga, Distt. Kanker (CG)
34. Madan Kumar Jain, Upper Division Teacher, Middle School, Janpad, Charama, Distt. Kanker (CG)
35. Vinita Thakur, Upper Division Teacher, Middle School, Kodejunga, Kanker, Distt.Kanker (CG)
36. Munnu Lal Sahu, Upper Division Teacher, Girls Middle School, Kanker, Distt.Kanker (CG)
37. Smt.Yogita Tiwari, Upper Division Teacher, Middle School, Jatawada, Bhanupratappur, Distt. Kankeer (CG)
38. Chandra Prakash Rawani, Upper Division Teacher, Middle School, Pataud Kanker, Distt. Kanker (CG)
39. Smt.Rukmani Yadav, Upper Division Teacher, Middle School, Beverti, Kanker, Distt. Kanker (CG)
40. Rajesh Shukla, Upper Division Teacher, Boys Middle School, Charama, Distt. Kanker (CG)

41. Smt.Pavan Sahu, Upper Division Teacher, Boys Middle School, Narharpur, Distt. Kanker (CG)
42. Laxmi Nath Sahu, Upper Division Teacher, Middle School, Kirgoli, Kanker, Distt. Kanker (CG)
43. Smt.Saroj Sahu, Upper Division Teacher, Middle School, Annpurnapara, Kanker, Distt. Kanker (CG)
44. Atmaram Nag, Upper Division Teacher, Middle School, Jhipatola, Charama, Distt. Kanker (CG)
45. Kishore Sarkar, Upper Division Teacher, Middle School, Bhiragaon, Bhanupratappur, Distt. Kanker (CG)
46. Suresh Kumar Sahu, Upper Division Teacher, Middle School, Salhe, Bhanupratappur, Distt. Kanker (CG)
47. Avinash Shrivastava, Upper Division Teacher, Middle School, Ghota, Bhanupratappur, Distt.Kanker (CG)
48. Smt.Nita Sinha, Upper Division Teacher, Middle School, Sarangpal, Kanker, Distt. Kanker (CG)
49. Anurag Trivedi, Upper Division Teacher, Middle School, Tadaikondal, Bhanupratappur, Distt. Kanker (CG)
50. Jitendra Prasad Tiwari, Upper Division Teacher, Middle School, Pushwada, Kanker, Distt. Kanker (CG)
51. Daulal Sen, Upper Division Teacher, Middle School, Markatola, Charama, Distt. Kanker (CG)
52. Sanjay Yadav, Upper Division Teacher, Boys Middle School, Sarona, Narharpur, Distt. Kanker (CG)
53. Keshavlal Mandavi, Upper Division Teacher, Middle School, Geetpahar, Charama, Distt. Kanker (CG)
54. Ku.Ranjanlata Shrivastava, Head Master, Middle School, Garhpichwari, Kanker, Distt. Kanker (CG)
55. Jawahar Singh Thakur, Head Master, Middle School, Nara, Kanker, Distt. Kanker (CG)
56. Smt.Shanta Dhruv, Head Master, Middle School, Kanhanpuri, Narharpur, Distt. Kanker (CG)
57. Kishan Prasad Jain, Head Master, Middle School, Telawat, Kanker, Distt. Kanker (CG)
58. D.R. Baghel, Head Master, Middle School, Ghodagaon, Koylibeda, Distt. Kanker (CG)
59. Prabhuram Shandilya, Head Master, Middle School, Tarasgaon, Charama, Distt. Kanker (CG)
60. Naresh Kumar Satpute, Head Master, Middle School, Ghotiya, Bhanupratappur, Distt. Kanker (CG)

61. Sitaram Netam, Head Master, Middle School, Selegaon, Bhanupratappur, Distt. Kanker (CG)
62. R.D.Sinha, Head Master, Middle School, Marwadi, Narharpur, Distt. Kanker (CG)
63. Jugal Kishore Soni, Head Master, Middle School, Dumarpani, Narharpur, Distt. Kanker (CG)
64. K.R. Komra, Head Master, Middle School, Bagod, Narharpur, Distt. Kanker (CG)
65. Fagnuram Markam, Head Master, Middle School, Bhanbeda, Bhanupratappur, Distt. Kanker (CG)
66. Balaram Netam, Head Master, Middle School, Khairwahi Charama, Distt. Kanker (CG)
67. P.S. Som, Head Master, Middle School, Markatola, Charama, Distt. Kanker (CG)
68. Kheduram Sahu, Head Master, Middle School, Chandeli, Charama, Distt. Kanker (CG)
69. Smt.Chandraprabha Rangare, Head Master, Middle School, Nakapara, Charama, Distt. Kanker (CG)
70. C.S. Yadav, Head Master, Middle School, Girhola, Charama, Distt. Kanker (CG)
71. R.P. Newla, Head Master, Middle School, Dherkohaka, Charama, Distt. Kanker (CG)
72. C.R. Nishad, Head Master, Middle School, Bhiraud, Narharpur, Distt. Kanker (CG)
73. Devdhar Lal Sahu, Head Master, Middle School, Jheepatola, Charama, Distt. Kanker (CG)
74. Smt.Girja Lonhare, Head Master, Middle School, Kirgoli, Distt. Kanker (CG)
75. Krishna Kumar Khaparde, Head Master, Middle School, Uttamar, Bhanupratappur, Distt. Kanker (CG)
76. Yamuna Prasad Ranbakala, Head Master, Middle School, Biranpur, Narharpur, Distt. Kanker (CG)
77. H.S. Dhruv, Head Master, Middle School, Rawas, Narharpur, Distt. Kanker (CG)
78. Shivprasad Nagesh, Head Master, Middle School, Samtara, Narharpur, Distt. Kanker (CG)
79. Smt.D. Borker, Head Master, Middle School, Janpad: Charama, Distt. Kanker (CG)
80. A.K. Baghel, Head Master, Middle School, Bhaisakanhar, Bhanupratappur, Distt. Kanker (CG)
81. Shivcharan Singh Yadav, Head Master, Middle School, Bodeli, Charama, Distt.Kanker (CG)

82. Akhilesh Kumar Singh, Head Master, Middle School, Dongarkatta, Bhanupratappur, Distt. Kanker (CG)
83. M.R. Dhunelia, Head Master, Middle School, Kilepar, Charama, Distt. Kanker (CG)
84. Smt.Khageshwari Uike, Head Master, Middle School, Pataud, Distt. Kanker (CG)
85. Dewal Singh Nayak, Head Master, Middle School, Tuegahan, Bhanupratappur, Distt. Kanker (CG)
86. Smt.Kuleshwari Sahu, Head Master, Middle School, Kanharpuri, Distt. Kanker (CG)
87. Smt.Pratima Thakur, Head Master, Middle School, Markatola, Distt. Kanker (CG)
88. Smt.Urmila Kange, Head Master, Middle School, Petoli, Distt.Kanker (CG)
89. Rameshwar Singh Sinha, Head Master, Middle School, Surahi, Narharpur, Distt. Kanker (CG)
90. Smt.Keshar Lonhare, Head Master, Middle School, Kokanpur, Distt. Kanker (CG)
91. Uttam Kumar Majumdar, Head Master, Middle School, Potgaon, Distt. Kanker (CG)
92. Ku.Mamta Shivhare, Head Master, Middle School, Nehru Nagar, Bhanupratappur, Distt. Kanker (CG)
93. Ramsingh Gautam, Head Master, Middle School, Temrupani, Antagarh, Distt. Kanker (CG)
94. Sanyal Singh Nareti, Head Master, Primary School, Gayatapara Petoli, Distt. Kanker (CG)
95. Premnath Teta, Head Master, Primary School, Babudbena, Khaspara, Distt. Kanker (CG)
96. Smt.Sadhna Shivhare, Head Master, Primary School, Manghoor, Durgukondal, Distt. Kanker (CG)
97. Sukalu Ram Netam, Head Master, Primary School, Bhuski, Durgukondal, Distt. Kanker (CG)
98. Rajnath Darro, Head Master, Primary School, Amori, Antagarh, Distt. Kanker (CG)
99. Gabdu Ram Bhaskar, Head Master, Primary School, Gadhiyapara, Gattagudum, Narharpur, Distt. Kanker (CG)
100. Mahendra Kumar Markam, Head Master, Primary School, Naveen Haradulla, Charama, Distt. Kanker (CG)
101. Prahlad Gangber, Head Master, Primary School, Badal, Narharpur, Distt. Kanker (CG)
102. Smt.Anjali Guna, Head Master, Primary School, Bhandaripara, Distt. Kanker (CG)

103. Anuj Kumar Sahu, Head Master, Primary School, Thelkawahi, Narharpur, Distt. Kanker (CG)
104. Ramncharan Suryavanshi, Head Master, Primary School, Aratara, Bhanupratappur, Distt. Kanker (CG)
105. Ghansiram Kegro, Head Master, Primary School Bhejritola, Charama, Distt. Kanker (CG)
106. Nehrual Jurri, Head Master, Primary School, Kanapond, Charama, Distt. Kanker (CG)
107. Raisingh Tekam, Head Master, Primary School, Batintola, Durgukondal, Distt. Kanker (CG)
108. Lalsingh Netam, Head Master, Primary School, Kapali, Durgukondal, Distt. Kanker (CG)
109. Jagatram Baghel, Head Master, Primary School, Dumarkot, Antagarh, Distt. Kanker (CG)
110. Shivnath Korram, Head Master, Primary School, Kahadmodi, Charama, Distt. Kanker (CG)
111. Bidesingh Potai, Head Master, Primary School, Kachwar, Antagarh, Distt. Kanker (CG)
112. Mohan Lal Netam, Head Master, Primary School, Hustarai, Antagarh, Distt. Kanker (CG)
113. Vishnuram Shouri, Head Master, Primary School, Uparparatansi, Charama, Distt. Kanker (CG)
114. Kuber Singh Netam, Head Master, Primary School, Rautpara Rawas, Narharpur, Distt. Kanker (CG)
115. Pukhraj Komre, Head Master, Primary School, Bangawar, Durgukondal, Distt. Kanker (CG)

----- Respondents

For Petitioners	:	Mr.N.Naha Roy, Advocate
For State	:	Mr.Avinash Singh, P.L.
For Private Respondents:		Mr.Somkant Verma, Advocate in
		WPS No.5178/2010

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

28.7.2021

1. Proceedings of these matters have been taken-up through video conferencing.
2. Since the common question of law are involved in these writ petitions, they were clubbed together, heard

together and being disposed of by this common order.

3. The petitioner Shikshak Sangh is aggrieved by the order dated 30.7.2009 which has been called in question in Writ Petition (S) No.2416/2010 and the order dated 7.8.2010 which has been called in Writ Petition (S) No.5178/2010 by which private respondents have been promoted from the post of Assistant Teacher to the post of Upper Division Teacher, which have been called in question.
4. Mr.N.Naha Roy, learned counsel appearing for the petitioners, would submit that the order of promotion issued by the respondent-State to the private respondents is unsustainable, bad in law and contrary to the circular dated 4.3.2009, as such, it is liable to be set aside.
5. Mr.Somkant Verma, learned counsel for appearing private respondents in Writ Petition (S) No.5178/2010, would submit that members of the petitioner Association have also been given promotion to the post of Upper Division Teacher in which they are already working.
6. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.

7. It is not in dispute that the orders dated 30.7.2009 and 7.8.2010 which have been called in question in these writ petitions have already been given effect to and the private respondents have already joined and working on the said post and after lapse of 10 years, their orders of promotion which have given effect to cannot be interfered with in the instant writ petitions as in absence of interim order by this court, promotion order has already given effect to.

8. In that view of the matter, this Court is not inclined to interfere with the orders of promotion. Accordingly, the writ petitions are disposed of. No order as to cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-