

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1170 of 2021**

Kumund Lal Daharia S/o Bhagirathi Dahariya, Aged About 51 Years
Presently Working As Lecturer (Maths), Government Higher Secondary
School, Katghora, District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, Chhattisgarh
2. The Director, Directorate Of Public Instructions, Indrawati Bhawan, Mantralaya, Nawa Raipur, Chhattisgarh
3. The Joint Director, School Education Department, Bilaspur, District Bilaspur, Chhattisgarh
4. The District Education Officer, Korba, District Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. K. P. Sahu, Advocate
For State	:	Mr. Wasim Miyan, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19.03.2021**

1. Heard.
2. Learned counsel for the petitioner submits that according to the new set up sanctioned for the school, one Teacher from English, one Teacher from Hindi/Sanskrit, one Teacher from Maths, one Teacher from Science and one Teacher from Arts were sanctioned for the post of UDT. However, while promoting the fellow teachers, subject wise promotion was made and the petitioner was left out and eventually the petitioner was promoted on 15.02.2010 whereas the other persons

have been granted promotion in July 2008. Learned counsel submits that the petitioner's seniority should also be given from July 2008.

3. Learned counsel for the petitioner further submits that the petitioner has made several representations in this regard to the Assistant Commissioner. Subsequently, the respondents granted seniority to the petitioner w.e.f. 07.10.2008. The grievance of the petitioner is that he ought to have been given seniority from July, 2008 instead of October, 2008 when his immediate juniors were promoted.
4. Considering the submissions made, without any observation on the merits of the case, the petitioner is given liberty to file a fresh representation to respondent No.3, Joint Director, School Education Department, Bilaspur within a period of four weeks from today ventilating all the grievance and if such representation is filed, the same would be decided within a further period of 45 days from the date of receipt of the representation. It is made clear that this court has not made any observation about the right of the petitioner.
5. With such observation, the petition stands disposed of.

Sd/-
P. Sam Koshy
Judge