

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2040 of 2021**

Niyamendra Kumar Nishad S/o Toran Singh Nishad, Aged About 34 Years, R/o House No. 194, Ward No. 09, Mahud Machandur, District Rajnandgaon, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh
2. Director, Public Instructions, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
3. Collector Bastar, District Bastar, Chhattisgarh
4. District Education Officer Bastar, District Bastar, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Anadi Sharma, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.06.2021**

1. The present is a writ petition whereby the petitioner is claiming for an appropriate direction to the respondents for considering his claim for appointment as Atithi Shikshak in terms of the order of the State Government dated 02.08.2019 and 24.06.2019.
2. The contention of the petitioner is that he has worked as a Vidya Mitaan during the period from 2016 till 2019. However, thereafter his services have been discontinued. According to the petitioner, similarly

placed persons earlier had filed a writ petition i.e. WP(S) 7811/2019, which got disposed off on 01.10.2019 whereby this Court taking into consideration Clause-1 of the said circular of the State Government dated 02.08.2019 directed the authorities to consider and decide the claim of the petitioners in-terms of the circulars of the State Government. According to the petitioner, thereafter, there has been no further development taken place till date in-spite of there being the order of this Court and the petitioner has therefore come to this Court for a fresh direction to the respondents.

3. Considering the fact that this Court had in the past passed a similar order in a series of writ petitions of identical nature, this Court at this juncture is inclined to pass an order to the extent that the petitioner's case be considered by the respondents 2 & 4 for being appointed as Atithi Shikshak in terms of any advertisement or recruitment drive which the respondents have initiated in District Bastar and subject to the petitioner fulfilling the minimum eligibility criteria including educational qualification, the case of the petitioner be considered in-terms of the policy of the State Government itself wherein they have mentioned that Vidya Mitaaan would be given priority.
4. Let a decision be taken by the respondents 2 & 4 in-respect-of the petitioner at the earliest preferably within a period of 60 days from the date of receipt of copy of this Order.
5. It is made clear that the petitioner in-addition-to his claim that he has made, would also be at liberty to file a fresh representation to the respondents 2 & 4 who in turn may consider the claim of the petitioner for any recruitment to be made for the next academic session unless the circular stands modified or amended.

6. The present writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**

Khatai