

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2120 of 2021**

1. Rupkumar Jhadi S/o Shri Gudaiya Jhadi Aged About 58 Years Occupation Head Master, Middle School Bangalicamp Kirandul, Block Kuwakonda, District Dantewada Chhattisgarh
2. Santosh Kumar Dixit S/o Shri Girja Shankar Dixit Aged About 61 Years Occupation Head Master, Government Primary School Surnar, Block Katekalyan, District Dantewada Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Schedule Caste And Schedule Tribe Development Department, Mahanadi Bhawan, New Mantralaya, Atal Nagar, District Raipur Chhattisgarh
2. The Commissioner Schedule Caste And Schedule Tribe Development Department, Head Quarter, Pt. Ravishankar Shukla University Campus District Raipur Chhattisgarh
3. The Collector Dantewada, District Dantewada Chhattisgarh
4. The District Education Officer Dantewada, District Dantewada Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Neeraj Choubey, Advocate
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/06/2021**

1. The grievance of the petitioner in the present writ petition is to the non consideration of the petitioners by the respondents as trained teacher.
2. The two petitioners herein, both have crossed the age of 50 years inasmuch as the petitioner No.1 is aged about 58 years and petitioner no.2 is aged about 61 years. They were initially appointed on the post of Upper Division Teacher as well as Lower Division Teacher respectively. In due course of time the petitioners having given the charge of Head Masters, working on the post of in-charge Head Masters in the Primary/ Middle School. Since the petitioners have put in more than 20 years of service and

have also completed 50 years of age. The petitioners are relying upon the circular of the State Government dated 22.11.1979 whereby the State Government have exempted for undergoing the training required for being declared as Trained Teachers.

3. At this juncture, the limited prayer that counsel for the petitioner prays for is that they have already represented to the higher authorities in the department and they may further be made to make a fresh representation to the higher authorities supported with all relevant documents and which the Authorities concerned may consider in accordance with rules, regulations and circulars governing the field and in case if the petitioners are found entitled for the benefit, the same be extended at the earliest.
4. The limited prayer sought for by the petitioners is not opposed by the State counsel, except for the fact that contentions raised by the petitioners need to be verified from the service records of the petitioners.
5. Given the said submissions by the counsel for the parties, the writ petition stands disposed of directing respondent no.1 & 2 to take an appropriate decision in case of the petitioners deciding as to whether the petitioners would be entitled for the exemption for being declared as Trained Teachers or not?
6. Let an appropriate decision be taken in this regard at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge