

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2169 of 2021**

- 1.** Shyamuram Nagesh S/o Late Shri Diyar Ram Nagesh, Aged About 59 Years
Occupation Head Master, Government Middle School, Puspalli District
Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 2.** Hirma Ram Nag S/o Late Shri Erra Nag, Aged About 59 Years Occupation
Head Master, Government Higher Secondary School Kerlapal, District Sukma
(Chhattisgarh), District : Sukuma, Chhattisgarh
- 3.** Bharat Singh Yadav S/o Shri S. Yadav, Aged About 46 Years Occupation
Head Master, Government Middle School, Sona Kokanar, District Sukma
(Chhattisgarh), District : Sukuma, Chhattisgarh
- 4.** Sonuram Yadav, S/o Shri Jagannath Yadav, Aged About 54 Years Occupation
Head Master, Government Middle School, Kanya Ashram, Chintalnar Block
Konta, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 5.** Ramesh Kumar S/o Shri Lakhmuram, Aged About 47 Years Occupation Head
Master, Government Middle School, Kanya Ashram, Nagarash Block Sukma,
District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 6.** Hirmaram Sori, S/o Shri Sodimukka, Aged About 57 Years Occupation Head
Master, Government Middle School, Kottiguda, Block Sukma, District Sukma
(Chhattisgarh), District : Sukuma, Chhattisgarh
- 7.** Pranendra Kumar Pal, S/o Shri P.K. Pal, Aged About 48 Years Occupation
Head Master, Government Middle School, Udlatarai, Block Chhindgarh,
District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 8.** Smt. Syamvati Kunjam, W/o Shri Manish Kunjam, Aged About 49 Years
Occupation Head Master, Government Middle School, Sukma Block Sukma
District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 9.** Smt. Sayyad Seema (Seema Singh), W/o Shri Sayyad Akbar, Aged About 46
Years Occupation Head Master, Government Middle School, Santhalpara
Block Sukma, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 10.** Shailendra Singh Bhadoriya, S/o Late Shri Jangbahadur Singh
Bhadoriya, Aged About 48 Years Occupation Head Master, Government

Middle School, Natigupha, Block Sukma, District Sukma (Chhattisgarh),
District : Sukuma, Chhattisgarh

- 11.** R.K. Dixit, S/o Shri Manmohan Prasad Dixit, Aged About 49 Years
Occupation Head Master, Government Girls Middle School, Tongpal, Block
Chhindgarh, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 12.** Smt. Urmila Besra, W/o Shri Kuldeep, Aged About 54 Years
Occupation Head Master, Government Middle School, Murtonda, Block
Sukma, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 13.** Prabhakar Das, S/o Shri K. Das, Aged About 60 Years Occupation
Head Master, Government Middle School, Pattanmpara, District Sukma
(Chhattisgarh), District : Sukuma, Chhattisgarh
- 14.** Virendranath Kudram S/o Shri Akturam Kudram, Aged About 56 Years
Occupation Head Master, Government Primary Middle School, Jhapra Block
Sukma, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh
- 15.** Ganguram Thakur, S/o Shri Kunjam Singh Thakur, Aged About 57
Years Occupation Head Master, Primary Middle School, Bodko, Block
Sukma, District Sukma (Chhattisgarh), District : Sukuma, Chhattisgarh

---- Petitioner

Versus

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

----Respondents

For Petitioner	:	Shri Neeraj Choubey, Advocate.
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

28.06.2021

1. The present writ petition has been filed by the petitioners against the inaction on the part of the respondents in not considering the petitioners as trained Teachers.
2. According to the Counsel for the petitioners, the petitioners are trying to take the benefit which falls from the circular of the State Government dated 22.11.1979 which specifically envisages waving of undergoing the training process for declaring a teacher as a trained teacher in the event if the teacher has completed either 20 years of service or has crossed the age of 50 years.
3. According to the counsel for the petitioner some of the petitioners herein have already crossed the age of 50 years and at the same time all the petitioners have completed more than 20 years of service. Thus, according to the petitioners, in view of the circular of the State Government, the petitioners have become entitled to be declared as trained teachers.
4. 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.

5. 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.
6. 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?
7. 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.
8. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge