

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 2389 OF 2021**

1. Ramkumar Yadav, S/o Baisakhu Ram Yadav, aged about 32 years, R/o Durga Chauk, 47, Purgao, Baloda Bazar, Chhattisgarh.
2. Savita Jharia, D/o I.P. Jharia, aged about 32 years, R/o H.N. 83, Kamala Nehru Ward, Telecom Factory Colony, Ranital Jabalpur, Baldevbagh, District Jabalpur, Madhya Pradesh.
3. Narendra Kumar Patel, S/o Ramsnehi Patel, aged about 46 years, R/o Amlikapa, Amora, District Mungeli, Chhattisgarh.

... Petitioners**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, Balrampur, District Balrampur, Chhattisgarh.
4. District Education Officer, Balrampur, District Balrampur, Chhattisgarh.

... Respondents

For Petitioners	:	Mr. Harshmander Rastogi, Advocate, under instructions of Mr. Anadi Sharma, Advocate.
For Respondent/State	:	Mr. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/07/2021**

1. Defaults pointed out by the Registry in the instant case stand ignored.
2. With the consent of learned Counsels appearing for the parties, heard the matter finally at admission stage itself.
3. Through the present Writ Petition, the Petitioners are claiming for an appropriate direction to Respondents for considering their claim for appointment as Atithi Shikshak in terms of the Orders of the State Government, dated 2.8.2019 and 24.6.2019.
4. Contention of learned Counsel for Petitioners is that all the Petitioners herein have worked as Vidya Mitaa during the period from 2016 till 2019. However, thereafter their services have been discontinued. Learned Counsel for Petitioners submits that a few of the Petitioners herein earlier had filed a Writ Petition i.e. WP(S) No. 7811/2019 which got disposed of vide Order dated 1.10.2019 whereby this Court taking into consideration the Clause-1 of the

Circular dated 2.8.2019 issued by the State Government had directed the Authorities to consider and decide the claim of Petitioners in terms of the Circulars of the State Government. According to learned Counsel for Petitioners, thereafter there has been no further development taken till date in spite of there being the Order of this Court and therefore the Petitioners have approached this Court for a fresh direction to Respondents.

5. Considering the fact that this Court in the past had 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 Petitioners' case be considered by Respondents No.2 & 4 for being appointed as Atithi Shikshak in terms of any advertisement or recruitment drive which the Respondents have initiated in District Balrampur and subject to the Petitioners fulfilling the minimum eligibility criteria including educational qualification, the case of Petitioners be considered in terms of the policy of the State Government itself wherein they have mentioned that Vidya Mitaaan would be given priority.

6. Let a decision in this regard be taken by Respondents No. 2 & 4 at the earliest, preferably within a period of 60 days from the date of receipt of copy of this Order.

7. It is made clear that the Petitioners, in addition to their claim that they have made, would also be at liberty to file a fresh representation to Respondents No.2 & 4 who may consider the claim of Petitioners for any recruitment to be made for the next academic session unless the Circular stands modified or amended.

8. It is also made clear that this Court has not expressed any opinion on the merits of the case so far as the entitlement part is concerned. Authorities are required to pass an order after due verification of the credentials and entitlement of Petitioners.

9. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE