

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4693 OF 2018**

1. Kumar Das Vaishnav, S/o Shri Ghunudas Vaishnav, aged about 52 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Akalghariya (Bheera), Block Bodla, District Kabirdham (CG)
2. Satish Kumar Gupta, S/o Shri Punnilal Gupta, aged about 47 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Khadhauda (Jungle), Block Bodla, District Kabirdham (CG)
3. Pawan Kumar Chelse, S/o Shri Karamdas Chelse, aged about 43 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Boirkachhara, Block Bodla, District Kabirdham (CG)
4. Bodhan Singh Kaushik, S/o Jham Singh Kaushik, aged about 34 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School, Raghunathpur, Block Kawardha, District Kabirdham (CG)
5. Dhanesh Kumar Kaushik, S/o Jham Singh Kaushik, aged about 32 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School, Bhatkundera, Block S. Lohara, District Kabirdham (CG)
6. Jagpal Chandroal, S/o Shri Baldau Chandroal, aged about 35 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Manikchaur, Block Kawardha, District Kabirdham (CG)
7. Ramesh Kumar Darou, S/o Shri Mangluram, aged about 35 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Khairbanakhurd, Block Bodla, District Kabirdham (CG)
8. Smt. Kamini Thakur, W/o Shri Someshwar Thakur, aged about 34 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Rendra, Block S. Lohara, District Kabirdham (CG)
9. Ramchandra Sahu, S/o Shri Dhaniram Sahu, aged about 35 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Daniyakhurd, Block S. Lohara, District Kabirdham (CG)
10. Arun Kumar Kunjam, S/o Shri Surujram Kunjam, aged about 33 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Jhalmala, Block Bodla, District Kabirdham (CG)
11. Santosh Kumar Thakur, S/o Shri Bahur Singh Thakur, aged about 30 years, Working as Assistant Teacher (Panchayat) and Posted at Government Adiwasi Balak Ashram Bairakh, Block Bodla, District Kabirdham (CG)
12. Bihari Singh Rajput, S/o Shri Chhedi Singh, aged about 34 years, Working as Assistant Teacher (Panchayat) and Posted at Government Primary School Singhari, Block Bodla, District Kabirdham (CG)
13. Deenanath Chandravanshi, S/o Shri Lekhram, aged about 30 years, Working as Assistant Teacher (Panchayat) and Posted at Government Adiwasi Balak Ashram Bairakh, Block Bodla, District Kabirdham (CG)

... Petitioners**versus**

1. State of Chhattisgarh, through Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (CG)
2. Secretary, Department of Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (CG)
3. District Education Officer, Kabirdham, District Kabirdham (CG)
4. Chief Executive Officer, Zila Panchayat, Kabirdham, District Kabirdham (CG)

... Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate.
For Respondents 1 to 3	:	Ms. Binu Sharma, Panel Lawyer.
For Respondent 4	:	Ms. Sunita Jain, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

[28/09/2021]

1. The present Writ Petition has been preferred by Petitioners aggrieved by the inaction on part of Respondents in granting promotion to the Petitioners to the post of Teacher Panchayat (Librarian) from the post of Assistant Teacher (Panchayat) at which post they are working.
2. Learned Counsel for Petitioners submits that Petitioners were initially appointed as Assistant Teacher (Panchayat) in the year 2005-2008 and since then they are continuously discharging their duties on the said post. Meanwhile, the Petitioners have acquired the qualification required for a Librarian under the Rules governing the services of Petitioners, which envisage a Clause wherein on acquiring the qualification for Librarian, an Assistant Teacher (Panchayat) can be considered for promotion to the said post.
3. Learned Counsel for Petitioners further submits that there are vacancies available in the Department at District Kabirdham itself where the Petitioners are discharging their duties. In addition, the Petitioners are amongst the senior-most candidates eligible for the said post. Since the Respondents are not taking any action on the claim put forth by Petitioners, they pray that a suitable direction may be issued in this regard.

4. Learned Counsels appearing for respective Respondents do not oppose the said prayer made by learned Counsel for Petitioners.

5. Accordingly, the Writ Petition is disposed of at this juncture with a direction to Respondents No.3 & 4 to consider the request of Petitioners for grant of promotion to the post of Teacher Panchayat (Librarian) subject to Petitioners fulfilling all the eligibility criteria. In addition, the Respondents No.3 & 4 would also ensure that whether the rules do permit the claim of Petitioners for grant of promotion to the said post.

6. Let this exercise be done within a period of three months from the date of presentation of certified copy of this Order before Respondents No.3 & 4.

7. With aforesaid direction/observation, the Writ Petition stands disposed of.

/sbarad/

Sd/-
(P. Sam Koshy)
Judge