

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4832 of 2021

1. Durga Prasad Sharma S/o Shri Vishnu Prasad Sharma Aged About 55 Years Presently Posted As Lecturer, Higher Secondary School, Murmura Block Chhura Tahsil Chhura District Gariyaband Chhattisgarh
2. Surendra Kumar Sonwani W/o Shri R. L. Sonwani Aged About 57 Years Presently Posted As Lecturer, Higher Secondary School, Seoni Block Chhura Tahsil Chhura District Gariyaband Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Education, Mahanadi Bhawan, Nawa Raipur District Raipur Chhattisgarh
2. Commissioner Public Instructions, Indrawati Bhawan, Nawa Raipur District Raipur Chhattisgarh
3. Divisional Joint Director Directorate Of Public Instructions Division-Raipur District Raipur Chhattisgarh
4. District Education Officer Gariyaband District Gariyaband Chhattisgarh

---Respondents

For Petitioners	:	Shri UNS Deo, Advocate.
For State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.09.2021.

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