

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5828 of 2021**

1. Rameshwar Kumar S/o Shri Bansi Lal Aged About 33 Years R/o Village Junapara, Talwapara, Baikunthpur Nagar, District Koriya, Chhattisgarh
2. Baleshwar Prasad Sahu S/o Shri Gulabv Charan Aged About 36 Years New Bazaar Road, Mahuapara, Surajpur, District Surajpur, Chhattisgarh
3. Sant Ram S/o Shri Shukh Dev Aged About 32 Years R/o 28, Katelpara, Nawapara Kalan, Surajpur, District Surajpur, Chhattisgarh
4. Neeraj Kumar Gupta S/o Shri Shiv Lal Gupta Aged About 31 Years R/o 11, Mahadeodand, Jashpur, District Jashpur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Its Principal Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Department Of School Education, Indrawati Bhawan, Block- C, 1st Floor, Atal Nagar, Nawa Raipur, Chhattisgarh
3. Joint Director Directorate Of Public Instruction, Department Of School Education Indrawati Bhawan, Block- C, 1st Floor, Atal Nagar, Nawa Raipur, Chhattisgarh
4. Chhattisgarh Professional Examination Board Through Its Secretary, Shailendra Nagar, Raipur, Chhattisgarh
5. Divisional Joint Director Educational Joint Director, Education Division Sarguja, District Sarguja, Chhattisgarh

----Respondents

For Petitioners	:	Mr. Tridib Bhattacharya, Advocate
For State	:	Mr. Lalit Jangde, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/10/2021**

1. Prayer of the petitioners in the present writ petition is for issuance of appropriate direction to the respondents for considering the issuance

of appointment orders in favour of the petitioners, who have been declared meritorious for appointment to the post of Teacher (English).

2. Learned State counsel submits that initially there was an interim order given by the Division Bench of this Court in WPS 1081/2020 whereby there was an order of maintaining status quo in respect of the appointment to the post of Teachers and Assistant Teachers in the three Divisions at Bastar, Surguja and Korba.
3. During the course of hearing, counsel for the respondents drew the attention of the order of Division Bench dated 23.09.2021, whereby Division Bench has modified the order dated 24.02.2020 by holding as under :-

“However, considering the prayer for modification made by learned State Counsel, it is clarified that the interim order passed on 24.2.2020 in WPS No.1081 of 2020 shall apply in respect of the District Cadre Post i.e. the post of Assistant Teacher of Bastar, Sarguja and Korba Districts and it shall not affect the recruitment of Teacher, which is a Divisional Cadre Post.”

4. Plain reading of the aforesaid modified order would make it clear that interim protection granted by the Division Bench no longer exists so far as consideration for appointment to the post of Teacher and all other posts which are Divisional Cadre Post. The interim protection extended by the Division Bench is confined to the post which are otherwise District Cadre Post.
5. Given the said facts and considering the fact that petitioners herein are claiming appointment to the post of Teacher (English) and post of Teacher being the Divisional Cadre post, the interim protection granted by the Division Bench would not be applicable upon the claim of the petitioner henceforth. In the light of the modified order dated

23.09.2021, Accordingly the respondents are now directed to take all necessary steps for completion of the recruitment process by issuance of appointment order for selected candidates at the earliest, unless ofcourse there is no other stay granted by any other Court in respect of same recruitment.

6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved