

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 5583 of 2020**

Rohit Kumar Sahu S/o Kartik Ram Sahu, Aged About 46 Years  
Working As Teacher (Panchayat) At Govt. Middle School, Shankardah,  
Block And District Dhamtari, Chhattisgarh

---- Petitioner

**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat And Rural Development, Mantralay, Mahanadi Bhawan, Nawa Para, Atal Nagar, Raipur
2. The Director, Public Instructions, Chhattisgarh, Indrawati Bhawan, Nawa Raipur, Atal Nagar, Raipur
3. The District Education Officer, Education, District Dhamtari Chhattisgarh
4. The Chief Executive Officer, Zila Panchayat, Dhamtari, District Dhamtari, Chhattisgarh

---- Respondents

---

|                |   |                                        |
|----------------|---|----------------------------------------|
| For Petitioner | : | Mr. R. K. Kesharwani, Advocate         |
| For State      | : | Ms. Akankshya Jain, Dy. Govt. Advocate |

---

**Hon'ble Shri Justice P. Sam Koshy****Order On Board****28.01.2021**

1. The grievance of the petitioner in the present writ petition is to the inaction on the part of the respondents in not considering the claim of the petitioner for promotion to the post of Lecturer (Panchayat).
2. The facts of the case are that the petitioner was initially appointed as a

Shiksha Karmi Grade-I vide order dated 27.07.1998 and thereafter he was regularized on the said post vide order dated 26.08.2020. Subsequently, the petitioner was also granted ad hoc promotion from the post of Assistant Teacher (Panchayat) to the post of Teacher (Panchayat) vide order dated 28.05.2016.

3. According to the petitioner, he and one similarly placed person namely Pravin Kumar Sahu were in between prosecuted for a criminal case under Sections 42, 467, 468, 472 & 34 of IPC. Both these persons were subsequently acquitted from the charges vide judgment pronounced by the Judicial Magistrate First Class, Raipur. The judgment of acquittal was subjected to challenge by an appeal which was also got dismissed from the Court of Sessions Judge, Raipur. Meanwhile, the petitioner who was initially appointed under the Panchayat Department has got absorbed in the Education Department vide order dated 21.08.2018. Pursuant to the acquittal being granted, the person who was prosecuted along with the petitioner namely Pravin Kumar Sahu was considered and granted promotion to the post of Lecturer (Panchayat) vide order dated 09.10.2019.
4. It appears that though the authority concerned has taken a decision to grant promotion to the petitioner also, but because of his absorption to the Education Department during the intervening period, the order of promotion till date has not been issued. The proceedings from the writ petition show that the authorities in the Department particularly Panchayat Department has already recommended promotion of the petitioner to the post of Lecturer (Panchayat) at par with the promotion that was granted to Pravin Kumar Sahu, however, the final order of

promotion till date has not been issued.

5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the writ petition at this juncture itself can be disposed of directing the respondents 2 to 4 to take an appropriate decision in respect of the claim of the petitioner for promotion at par with Pravin Kumar Sahu who has already been granted promotion in the year 2019. Let an appropriate decision be taken by the respondents 2 to 4 in this regard at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
6. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-**  
**P. Sam Koshy**  
**Judge**