



**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 390 of 2023**

1. Sukhsagar Shandey S/o Kirtan Lal Shandey, Aged About 41 Years Working As Head Master (Primary School) Under T-Cadre, At Government Primary School, Botalpara, Block Kartala, District Korba Chhattisgarh
2. Smt. Prity Shandey W/o Sukhsagar Shandey, Aged About 37 Years Working As Head Master (Primary School) Under T-Cadre, At Government Primary School, Harijan Basti Dadarkala, Block Kartala, District Korba Chhattisgarh
3. Smt. Bhupeshwari Kurrey W/o Yogendra Singh Kurrey, Aged About 39 Years Working As Head Master (Primary School) Under T-Cadre, At Government Primary School, Purani Basti Kartala, Block Kartala, District Korba Chhattisgarh
4. Om Prakash Khandey S/o Bodhiram Khandey, Aged About 51 Years Working As Head Master (Primary School) Under T-Cadre, At Government Primary School, Diprapara Boida, Block Pali, District Korba Chhattisgarh
5. Smt. Arti Gupta W/o Satish Prasad Gupta, Aged About 48 Years Working As Head Master (Primary School) Under T-Cadre, At Government Primary School, Kotmarra, Block Podi Uproda, District Korba Chhattisgarh

---- Petitioners

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
2. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
3. Joint Director, Education Division Bilaspur, District Bilaspur Chhattisgarh
4. District Education Officer, Korba, District Korba Chhattisgarh
5. Collector, District Korba Chhattisgarh
6. Block Education Officer, Pali, District Korba Chhattisgarh
7. Block Education Officer, Kartala, District Korba Chhattisgarh
8. Block Education Officer, Pondi Uproda, District Korba Chhattisgarh



---- Respondents

**WPS No. 432 of 2023**

1. Smt. Sumitra Jagat W/o Radhelal Jagat Aged About 53 Years Working As Head Master (Primary School), At Government Primary School - Salihapara, Block - Pali, District Korba, Chhattisgarh
2. Smt. Madhuprema Xalxo W/o Shailesh Xalxo Aged About 42 Years Working As Head Master (Primary School), At Government Primary School - Dafai, Block - Katghora, District Korba, Chhattisgarh
3. Smt. Savitri Jaiswal Vijay Jaiswal Aged About 48 Years Working As Head Master (Primary School), At Government Primary School - Dipka Basti, Block - Katghora, District Korba, Chhattisgarh

---- Petitioners

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
3. Divisional Joint Director Education Division Bilaspur, District : Bilaspur, Chhattisgarh
4. The District Education Officer Korba, District - Korba, Chhattisgarh
5. Collector District Korba, Chhattisgarh
6. Block Education Officer Pali, District - Korba, Chhattisgarh
7. Block Education Officer Katghora, District Korba, Chhattisgarh

---- Respondents

16/01/2023	Mr. Govind Prasad Dewangan, counsel for petitioners. Mr. Ravi Bhagat, Dy. Govt. Advocate for the State. Heard. Issue notice to respondents. Learned State Counsel accepts notice on behalf of



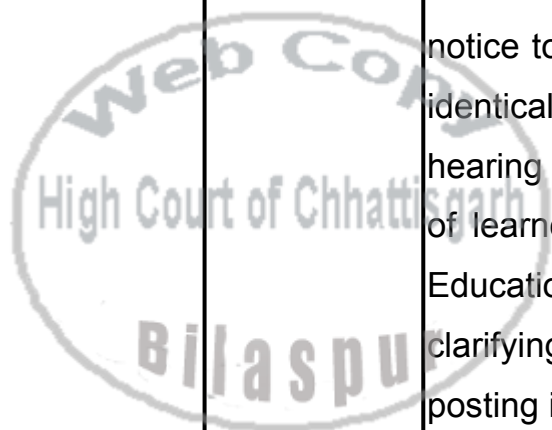
respondents, hence, process fee is not required to be paid for issuance of notice to respondents. He prays for and is granted four weeks time to file reply.

Also heard on application for grant of interim relief/stay.

Learned counsel for petitioners submits that *vide* order of promotion issued by respondent- District Education Officer, the petitioners, who were working on the post of Assistant Teacher (LB), are promoted to the post of Headmaster. The Collector *vide* order impugned cancelled promotion orders of Assistant Teachers, directed that promotion will be given to them through counselling and constituted a Committee to conduct counselling. Pursuant to order passed by the Collector, duly executed promotion order of petitioners are cancelled by District Education Officer, Korba, without issuing notice to petitioners. He submits that batch of writ petitions involving identical issue, lead case being WPS No.7358/2022, came up for hearing before this Court on 04.11.2022 and considering submission of learned State Counsel therein that Collector, Korba and District Education Officer, Korba have already issued clarificatory orders clarifying that promotion orders are not cancelled, only place of posting is stayed and posting of promoted Headmasters will be made after counselling to be conducted by the Committee constituted by Collector, Korba; interim order is passed in favour of petitioners in those writ petitions, allowing them to work as Headmaster at the promotional place of posting. He prays for passing of similar order in these petitions as well.

Learned State Counsel does not dispute submission of learned counsel for petitioners that interim orders are passed in identical writ petitions filed by some similarly situated employees.

In view of above submissions of learned counsel for parties and the fact that decision of respondents that posting to promoted Headmasters will be given after counselling by the Committee constituted by Collector, has already been stayed, purely as an





interim measure, it is directed that effect and operation of impugned order, so far as it relates to petitioners, shall remain stayed till the next date of hearing.

List this case along with WPS No.7358/2022 for analogous hearing.

Certified copy as per rules.

Sd/-  
**(Parth Prateem Sahu)**  
Judge



Praveen