



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 293 of 2023

1. Prabhudayal Yadav S/o Ganesh Yadav, Aged About 49 Years Working As Head Master (Primary School), At Government Primary School Balak Ashram, Sabag, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
2. Gupteshwar Ram S/o Puran Ram, Aged About 47 Years Working As Head Master (Primary School), At Government Primary School, Bata, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
3. Sukhsevan Ram Ravi S/o Dasai Ram, Aged About 54 Years Working As Head Master (Primary School), At Government Naveen Primary School, Marewadih, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
4. Kalindar Ram S/o. Dhaneshwar Ram, Aged About 39 Years Working As Head Master (Primary School), At Government Primary School, Lechopara, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
5. Gede Bhuihar S/o Ghasi Bhuihar, Aged About 44 Years Working As Head Master (Primary School), At Government Primary School, Basdih, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
6. Satlu Ram S/o Biruch Ram, Aged About 37 Years Working As Head Master (Primary School), At Government Primary School, Sonpur, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
7. Lalita Lakda W/o Budhram Lakda, Aged About 51 Years Working As Head Master (Primary School), At Government Naveen Primary School, Churunda, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
8. Daulesh Lakda S/o Budhram Lakda, Aged About 49 Years Working As Head Master (Primary School), At Government Primary School, Bairdihkala Chando, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
9. Surendra Prasad Gupta S/o Bihan Prasad Gupta, Aged About 43 Years Working As Head Master (Primary School), At Government Primary School, Tatijhariya (East), Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
10. Virendra Yadav S/o Devnandan Yadav, Aged About 40 Years Working As Head Master (Primary School), At Government Primary School, Tatijhariya (West), Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
11. Virendra Prasad Gupta S/o Ramshwarth Gupta, Aged About 51 Years Working As Head Master (Primary School), At Government Primary School, Magaji, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh



12. Bhagwati W/o Sunil Ram, Aged About 48 Years Working As Head Master (Primary School), At Government Primary School, Premnagar, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
13. Rajesh Ram S/o Lalluvan Ram, Aged About 43 Years Working As Head Master (Primary School), At Government Naveen Primary School, Bhathupara, , Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
14. Sushil Kumar Kujur S/o Suleman Kujur, Aged About 51 Years Working As Head Master (Primary School), At Government Primary School, Gungrupat, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
15. Parsu Ram S/o Daferam, Aged About 41 Years Working As Head Master (Primary School), At Government Naveen Primary School, Bijapat, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
16. Devlal Ram S/o Gulab Ram, Aged About 50 Years Working As Head Master (Primary School), At Government Naveen Primary School, Damchuwa, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
17. Sukhlal Ram S/o Bilpai Ram, Aged About 46 Years Working As Head Master (Primary School), At Government Naveen Primary School, Barpath, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
18. Samar Vijay Bhagat S/o Ganesh Bhagat Aged About 37 Years Working As Head Master (Primary School), At Government Girls Primary School, Korandha, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
19. Dindayal Singh Paikara S/o Karamdayal Paikara, Aged About 39 Years Working As Head Master (Primary School), At Government Primary School, Turripani Khajuri, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh
20. Subita Lakda W/o Benifas, Aged About 49 Years Working As Head Master (Primary School), At Government Primary School, Bhulsikala, Block Kusmi, District Balrampur - Ramanujganj Chhattisgarh

---- **Petitioner**

Versus

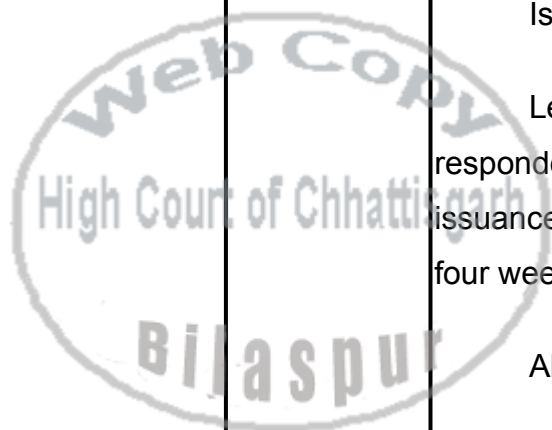
1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
2. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
3. Joint Director, Education Division Surguja (Ambikapur), District Surguja Chhattisgarh



4. Collector, District Balrampur - Ramanujganj Chhattisgarh
5. District Education Officer, Balrampur - Ramanujganj, District Balrampur - Ramanujganj Chhattisgarh
6. Block Education Officer, Kusmi, District Balrampur - Ramanujganj Chhattisgarh

---- Respondents

12/1/2023	<p>Mr. Govind Prasad Dewangan, Advocate for petitioners.</p> <p>Ms. Sunita Jain, Govt. Advocate for the State.</p> <p>Heard.</p> <p>Issue notice to respondents.</p> <p>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.</p> <p>Also heard on application for grant of interim relief.</p> <p>Learned counsel for petitioners submit 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 order of Assistant Teachers (LB), directed that promotion will be given to them through counselling and constituted a Committee to conduct counselling. Pursuant to order passed by the Collector, promotion order of petitioner is also cancelled by District Education Officer 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 submissions of learned State Counsel that Collector</p>





and District Education Officer of respective districts 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; 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 also.

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 order impugned shall remain stayed.

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

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge