



NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 476 of 2023**

Smt. Prem Kumari Kurre W/o Radhika Prasad Kurre Aged About 38 Years Occupation Promoted Head Master And Presently Posted At Primary School Sikri, Block Podi Uproda, District Korba As A Assistant Teacher (L.B.), R/o Behind Gopal Petrol Pump, Ward No. 3, Katghora, Ambedkar, Nagar Korba, District Korba (C.G.)

---- Petitioner

**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (C.G.)
2. Director Public Instruction, Indirawati Bhawan, Atal Nagar, Nava Raipur, District Raipur (C.G.)
3. Collector Korba, District Korba (C.G.)
4. District Education Officer Korba, District Korba (C.G.)
5. Block Education Officer Podi, Uproda, District Korba (C.G.)

---- Respondents

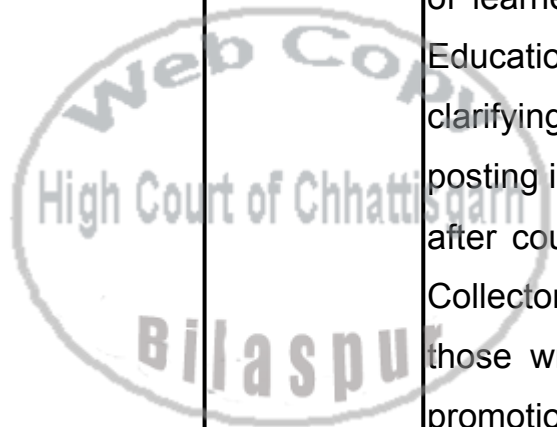
19/01/2023	<p>Mr. P.K. Patel, counsel for petitioner.</p> <p>Mr. Akash Pandey, Panel Lawyer for the State.</p> <p>Heard.</p> <p>Issue notice to respondents.</p> <p>Learned State Counsel accepts notice on behalf of respondents, hence, process fee is not required to be paid for issuance of notice to respondents. She prays for and is granted four weeks time to file reply.</p> <p>Also heard on application for grant of interim relief/stay.</p> <p>Learned counsel for petitioner submits that <i>vide</i> order of</p>



promotion issued by Respondent- District Education Officer, the petitioner, who is working on the post of Assistant Teacher (LB), is 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 petitioner is cancelled by District Education Officer, Korba, without issuing notice to petitioner. 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 petitioner 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 petitioner, 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