



NAFR

**HIGH COURT of CHHATTISGARH, BILASPUR**

**Writ Petition (S) No. 571 of 2023**

- Somnath Netam Aged About 41 Years S/o Sudhram Netam, Occupation- Head Master, Primary School Jogipara Pawda, R/o - Village And Post- Lanjoda, Police Station And Tahsil- Farasgaon, District- Kondagaon (C.G.) Mo.No. 9399173857

-----Petitioner

**VERSUS**

1. State of Chhattisgarh, through the Secretary, Department of The School Education, Mahanadi Bhawan, New Mantralaya, Atal Nagar, Naya Raipur, Tahsil Raipur, District : Raipur, Chhattisgarh
2. Director Directorate of Public Instruction, First Floor, C Face, Indrawati Bhawan, Naya Raipur, Atal Nagar, Tahsil Raipur, District : Raipur, Chhattisgarh
3. Collector Kondagaon, District : Kondagaon, Chhattisgarh
4. District Education Officer, Kondagaon, District : Kondagaon, Chhattisgarh
5. Block Education Officer, Farasgaon, District : Kondagaon, Chhattisgarh

-----Respondents

(cause title is taken from Case Information System)

For Petitioner : Mr. Ratnesh Kumar Agrawal, Advocate  
For Respondents-State : Mr. Amrito Das, Addl. Adv. General

**Single Bench: Hon'ble Shri Parth Prateem Sahu, Judge**

**ORDER**

**20/01/2023**

1. Limited grievance raised by petitioner in this writ petition is that petitioner who upon promotion on the post of Head Master, Primary School, is posted at different school than the school where he was working as Assistant Teacher on the date of issuance of order of promotion to be contrary to the instructions issued by the State Govt.
2. Learned counsel for petitioner submits that as per letter/ instruction dated 07.02.2022, Annexure P-2, issued by Respondent No.2, promoted Assistant Teachers on the post of Headmaster of Primary School are to be posted as far as possible in same school, subject to availability of promotional posts, however, the direction as issued has not been followed by the authority.



- 3 Learned State Counsel opposes the submission of learned counsel for petitioner and submits that petitioner has not approached the competent authority by filing any application/ representation raising his grievance and if petitioner submits an application before Respondent No. 4, it will be considered in accordance with law.
- 4 I have heard learned counsel for the parties.
5. Considering the entire facts and circumstances of case, submission of learned counsel for petitioner based on instruction dated 07.02.2022, this writ petition is disposed of at this stage, permitting the petitioner to submit representation before Respondent No.4/DEO, Kondagaon, within 'two weeks' from today raising all ground as raised in this writ petition. On making such representation, Respondent No.4 shall consider and decide the same in accordance with law expeditiously preferably within an outer limit of **'three weeks'** from the date of receipt of representation.
6. With the aforesaid observation and direction, writ petition is finally disposed of.

Certified copy as per rules.

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

