



HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1102 of 2023

Anil Kumar Toppo S/o Shri Prayag Toppo Aged About 39 Years Presently Working On The Post Of Head Master(Primary School), Posted At Government Primary School -Banour Camp, Block - Balrampur, District Balrampur- Ramanujganj, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Director Of Public Instruction Directorate Indrawati Bhawan, Nawa Raipur, District Raipur, Chhattisgarh
3. Collector - Balrampur District - Balrampur - Ramanujganj, Chhattisgarh
4. District Education Officer -Balrampur District - Balrampur - Ramanujganj, Chhattisgarh
5. The Block Education Officer Block - Balrampur, District - Balrampur - Ramanujganj, Chhattisgarh

----Respondents

07.02.2023	Mr. A.N. Pandey, counsel for petitioner. Mr. Suyashdhar Badgaiya, P.L. for State-respondents. Heard. Issue notice to respondents.
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Learned State counsel accepts notice on behalf of respondents, hence process fee is not required to be paid.

Learned State counsel prays for and is granted four weeks time to file reply.

Also heard on application for grant of stay.

Learned counsel for petitioner submits that petitioner, who are holding the post of Assistant Teacher (LB) was promoted to the post of Head Master, vide order dated 14.10.2022. In compliance of order of promotion, petitioner has joined his promoted place of posting. Subsequently, order of promotion has been cancelled, without issuing notice to the petitioner. He also submits that identical case WPS- 7358 of 2022 and other connected matters came up for hearing on 04.11.2022 and this Court considering the submissions made by learned counsel for petitioners therein, passed detailed order, wherein learned counsel for the State submitted that Collector and DEO of respective districts issued clarificatory orders, mentioning that order of promotion has not been cancelled, only place of posting is stayed and posting of petitioners would be made pursuant to counselling to be conducted by the Committee constituted by the Collector, and interim orders have been passed in those petitions in favour of petitioners, directing them to work on their promoted post





mentioned in their order of promotion. Hence similar order may be passed in this case also.

Learned State counsel does not dispute the submission with respect to order passed in identical case with respect to promoted Head Master of District – Korba and Balrampur.

In view of above submissions made by learned counsel for parties, the order of counseling for posting of promoted Head Master to be conducted by Committee constituted by Collector is already stayed, purely as an interim measure, it is directed that effect and operation of Annexure P-1 shall remain stayed till the next date of hearing.

List this case along with W.P.(S) No. 7358 of 2022.

Sd/-
(Parth Prateem Sahu)
JUDGE