



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WPS No. 1197 of 2023

Kashiram S/o Lamuram Aged About 30 Years R/o Village Bhakur, Tahsil Pandariya, Distt. Kabirdham (C.G.).

---- **Petitioner**

Versus

1. State of Chhattisgarh Through The Chief Secretary, Mantralaya, Naya Raipur, Distt. Raipur (C.G.)
2. Secretary Department of School Education, Govt. of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Raipur, Distt. Raipur (C.G.)
3. Secretary Department of Tribal Welfare, Govt. of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Raipur, Distt. Raipur (C.G.)
4. Assistant Commissioner Department of Tribal Welfare, Kabirdham, Distt. Kabirdham (C.G.)
5. Collector Kabirdham, Distt. Kabirdham (C.G.)
6. District Education Officer Kabirdham, District Kabirdham (C.G.).

--- **Respondents**

For Petitioner : Ms. Rajni Soren, Advocate.
For State/Respondent : Ms. Sunita Jain, GA.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

09/02/2023

1. Grievance raised by petitioner in this writ petition is that petitioner though belongs to the Baiga, Special Backward Tribe, has not been extended benefits of scheme of Government formulated in the year 2019 of granting permanent employment in State Government based on his qualification.
2. Learned counsel for petitioner submits that petitioner is a resident of District Kabirdham and belongs to Baiga, Scheduled Tribe case which is one of the Special Backward Tribe declared by State of Chhattisgarh. State Government have initially taken a decision on 27.08.2019 for providing employment to the Special Backward ST persons residing within the State. Petitioner pursuant to the decision taken by State Government was engaged by Respondent No. 6 as part time "Shala Sangwari" for teaching in Primary School, a Certificate in this regard is also issued by Respondent No. 6, however, no order of appointment as Teacher has been issued in favour of petitioner. She submits that subsequently respondent No.6 issued order for appointment of candidates belonging to the Special Backward Tribal caste on the post of Assistant Teacher (Class-E) on 10.10.2022, based on the proceedings forwarded by the office of



Collector pursuant to Circular dated 27.06.2022 based on the decision of the State Government dated 27.08.2019. The petitioner is working since 2019 under the scheme formulated by the State Government for giving appointment but till date petitioner was not issued appointment order. Petitioner submitted representation before Respondents No.5 and 6 in this regard on 14.11.2022 (Annexure P-8), but till date the authorities have not taken any decision on the application/representation of petitioner. She submits that at this stage, grievance of petitioner would be redressed if a direction be issued to Respondents No. 5 & 6 to take decision on the pending representation of petitioner submitted on 04.11.2022.

3. On the other hand, learned State counsel submits that as the petitioner is not pressing the writ petition on merit and only seeking a direction to be issued to Respondents No. 5 & 6 to decide the pending representation of petitioner, he is having no objection.

4. I have heard learned counsel for the parties.

5. Taking into consideration, nature of grievance raised by petitioner, documents placed on record, particularly instructions issued by State Government on 27.06.2022 based on decision taken on 27.08.2019, submission of learned counsel for the parties and also limited prayer made by counsel for petitioner, without entering into merits of the case, I find it appropriate to dispose of this writ petition at this stage, directing Respondents No.5 & 6 to consider and decide the representation of petitioner dated 14.11.2022 (Annexure P-8), expeditiously, in accordance with law, preferably within a period of **06 weeks** from the date of receipt of copy of order passed by this Court.

6. With the aforesaid observation and direction, writ petition is disposed of.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

J/-