



**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**WPS No. 3024 of 2023**

- Mohd Aslam S/o Sakiruddin Aged About 35 Years R/o House No. 114/2, Ward No. 09 Muslim Para Bishrampur, Satpata, District : Surajpur, Chhattisgarh  
---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Its Principal Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Department Of School Education, Indrawati Bhawan, Block-C, 1st Floor, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh
3. District Education Officer Rajnandgaon, District : Rajnandgaon, Chhattisgarh

---- **Respondents**

---

For the Petitioner	: Mr. Faisal Akhtar, Adv.
For Respondents	: Mr. Ravi Bhagat, Dy. GA.

---

**Hon'ble Shri Justice Sachin Singh Rajput**  
**Order on Board**

**10.05.2023**

- 1) During the course of hearing learned counsel for petitioner placed on record the order passed by the Coordinate Bench of this Court dated 04.08.2022, in W.P.(S) No. 5269 of 2022 and submits that the Court made observation directing Director Public Instructions for developing some mechanism protecting the interest of petitioner therein. The grievance of petitioner in this petition is also one and same as raised by petitioner in W.P.(S) No. 5269 of 2022. He submits that at this stage petitioner may be permitted to submit representation before respondent No.1 and respondent No.1 be directed to take decision on the same within specified time.
- 2) Mr. Ravi Bhagat, Dy. GA appearing on behalf of respondent-State would submit that the order, which is placed by learned counsel for petitioners in W.P.(S) No. 5269 of 2022 dated 04.08.2022 instructions are still awaited. He further submits that as petitioner is not pressing this petition on merits and only seeking liberty to submit representation





to be considered by respondent No.1, he is having no objection.

- 3) I have heard learned counsel for parties and perused the documents placed on record.
- 4) The Coordinate Bench of this Court in W.P.(S) No. 5269 of 2022 in its order dated 04.08.2022 had observed as under :-

“The grievance of the petitioner in this case is that the appointment of Lecturer, Teacher and Assistant Teacher for three districts namely Surguja, Korba and Bastar has been made which was challenged and stayed by this court and when the stay was in operation, State Government issued circular for submission of option form for three district. Since the stay was vacated and the petitioners have filed the instant petition with a prayer that they are residents of Districts Surguja, Korba and Bastar, but they could not submit the option form for Surguja, Korba and Bastar Districts on account of interim protection granted by this court, therefore, they be allowed for submitted their option form for the relevant districts.

This is practical difficulty which has to be resolved by issuing an appropriate direction to the State. Accordingly, it is directed that the Director, Public Instructions should develop a mechanism to allow the candidates belonging to the Districts Surguja, Korba and Bastar, who have already been appointed in pursuance of the advertisement as Lecturer, Teacher and Assistant Teacher to submit their option for posting in these places and if their merit position is above the candidates who have been appointed in these districts and the vacancies are available, then they will be allowed to change their posting at these districts only. These facilities will be available for those candidates who could not submit the option in view of the stay passed by this court which was ultimately vacated and the writ petition have been dismissed by this court.”

- 5) In the aforementioned facts of the case and considering the submission of learned counsel for the petitioner, writ petition is disposed of permitting petitioner to submit representation before respondent No.1 and 2 and if such representation is submitted, respondent No.1 and 2 shall consider and decide the





same expeditiously keeping in mind the prevailing situation at the time of submission of options by petitioner at that relevant point of time.

Sd/-

**(Sachin Singh Rajput)**  
**Judge**

Pawan

