



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 502 of 2022

Ravi Kant Patel **Versus** State of Chhattisgarh & Others

along with

WPS/2436/2022, WPS/2742/2022, WA/324/2022, WPS/4627/2019,
WPS/3432/2021, WPS/1569/2022, WPS/3286/2021, WPS/557/2022,
WPS/1702/2022, WPS/4409/2021, WPS/1275/2022, WPS/4603/2021,
WA/212/2022, WPS/3441/2021, WPS/3518/2022, WA/196/2022,
WPS/3437/2021, WPS/892/2022, WPS/598/2022, WPS/599/2022,
WPS/2280/2021, WPS/3431/2021

07/09/2022	Heard Mr. Prafull N Bharat, learned senior counsel, assisted by Manoj Paranjpe, as well as Mr. N.K.Malviya, Mr. Ajay Shrivastava, Mr. Prateek Sharma, Mr. Goutam Khetrpal, Mr. Neeraj Choubey, Mr. Ajay Shrivastava, Mr. Akash Pandey, Mr. Shreyash Agrawal, Mr. G.P.Mathur, Mr. Anchal Kumar Matre, Mr. Kishore Narayan, Mr. Pritam Singh and Mr. Somkant Verma, learned counsel, appearing for the petitioners as well as Mr. Anup Majumdar and Mr. Hari Om Rai, learned counsel, appearing for the appellants, in these cases. At the outset, Mr. Prateek Sharma, learned counsel, appearing for the petitioner in WPS No. 3518 of 2022 submits that the grievance expressed by the petitioners is not granting relaxation to the petitioners, who are seeking three years relaxation for



promotion from the post of Lecturer to Principal, which is given to Assistant Teachers, Teachers and Head Masters. However, in the return filed by the State, it is indicated that the State Government has already relaxed the condition of requirement of five years of services to three years. If this statement is taken on record, then the petitioners have no grievance left, he submits. However, he submits that there is no corresponding amendment to the rule and as the return was sworn by District Education Officer, it will be, according to him, appropriate that an affidavit is filed by the Secretary of the Department.

Mr. Anup Majumdar, learned counsel, appearing for the appellants in WA No. 196 of 2022 also submits that if the aforesaid stand is accepted, then the writ appeal will stand allowed.

Mr. Prafull N. Bharat, learned senior counsel, appearing for some of the petitioners submits that returns filed by the State in different petitions have been supported by affidavit of different officers of different district level officers and therefore, it will be appropriate that a consolidated affidavit is filed by the Secretary, Department of School Education dealing with salient features of the cases.



Also heard Mr. Jitendra Pali, learned Deputy Advocate General and Ms. Astha Shukla, learned Government Advocate, appearing for the respondent - State.

We find some substance in the submissions made on behalf of the petitioners.

We have enquired of Mr. Pali as to who will be the Competent Secretary to deal with the issues in these petitions.

Mr. Pali submits that Secretary, Department of School Education, will be the Competent Officer to swear the affidavit, if directed to be filed by the Court.

On due consideration, we direct the Secretary, Department of School Education to file a consolidated affidavit dealing with all the writ petitions reiterating or explaining and supplementing, if necessary, any stand taken in the returns.

The affidavit shall be filed in the first case of the list, namely, WPS No. 502 of 2022 and the copy of the affidavit shall be furnished to all the counsel appearing for the petitioners in all the cases.



The Affidavit would be filed and supplied to the learned counsel for the petitioners on or before 16.09.2022.

Registry is directed to list these cases on 20.09.2022 at 2.15 pm.

Mr. Govind Prasad Dewangan, Mr. F.S.Khare, Mr. Pramod Ramteke and Mr. N.N.Roy, learned counsel, appearing for some of the intervenors, are present.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge