NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8723 of 2022

1. Vandana Manisha Suta W/o Jitendra Shil Suta Aged About 49 Years Working As Head Master (Primary School) At Government Primary School, Dhakadpara, Block Kondagaon, District Kondagaon Chhattisgarh.

2. Punau Ram Kumeti S/o Kutta Ram Kumeti Aged About 35 Years Working As Head Master (Primary School) At Government Primary School Parchhipara Malakot, Block Kondagaon, District Kondagaon Chhattisgarh.

3. Dashrath Lal Pandey S/o Daya Prasad Pandey Aged About 37 Years Working As Head Master (Primary School) At Government Primary School, Taragaon, Block Makdi, District Kondagaon Chhattisgarh.

---- Petitioner

Versus

Web Copy
High Court of Chhattisgarh
Bilaspur

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.

2. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.

3. Divisional Joint Director, Education Division Baster District Bastar Chhattisgarh.

4. Collector, District Kondagaon Chhattisgarh

5. District Education Officer, Kondagaon, District Kondagaon Chhattisgarh.

6. Block Education Officer, Kondagaon, District Kondagaon Chhattisgarh.

7. Block Education Officer, Makdi, District Kondagaon Chhattisgarh.

---- Respondent

WPS No. 8682 of 2022

Smt. Shakuntala Sahu W/o Shri Raju Ram Sahu Aged About 39 Years R/o Ward No. 109, School Para, Mohlai, Bhandarseoni, Farasgaon, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2. Director Directorate Of Public Instruction, First Floor, Indravati Bhawan, Naya Raipur, Atal Nagar, District : Raipur, Chhattisgarh

3. Collector Kondagaon, District : Kondagaon, Chhattisgarh

4. District Education Officer Kondagaon, District : Kondagaon, Chhattisgarh

5. Headmaster Through Primary School, Bilwa, Block Makdi, District : Kondagaon, Chhattisgarh

6. Head Master Through Primary School, Nayapara Charkai, Block Farasgaon, District : Kondagaon, Chhattisgarh

---- Respondents

Web Copy
High Court of Chhattisgarh
Bilaspur

WPS No. 8690 of 2022

Wasudev Kuldeep S/o Ganesh Ram Kuldeep Aged About 34 Years R/o Kosami, Post Khalari, Tehsil Baderajpur, Vishrampuri, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2. Director Directorate Of Public Instruction, First Floor, Face, Indravati Bhawan, Naya Raipur, Atal Nagar, District : Raipur, Chhattisgarh

3. Collector Kondagaon, District : Kondagaon, Chhattisgarh

4. District Education Officer Kondagaon, District : Kondagaon, Chhattisgarh

5. Primary School Kosami Through Head Master, Block Baderajpur, District : Kondagaon, Chhattisgarh

6. Primary School Khargaon Through Head Master, Block Baderajpur, District : Kondagaon, Chhattisgarh

---- Respondents

WPS No. 8692 of 2022

Sarwan Kumar Markam S/o Sonu Ram Markam Aged About 39 Years R/o Village Titarwand, Post Titarwand, Tehsil Vishrampuri, Distt. Kondagaon (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)

2. Director Directorate Of Public Instruction, First Floor, Face, Indravati Bhavan, Naya Raipur, Atal Nagar (Chhattisgarh)

3. Collector Kondagaon, District Kondagaon Chhattisgarh.

4. District Education Officer Kondagaon, District Kondagaon Chhattisgarh.

5. Primary School Khaspara Bagbeda Through Head Master , Block Makdi , District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondents

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High Court of Chhattisgarh
Bilaspur

WPS No. 8697 of 2022

Sona Ram Netam S/o Baishakhu Ram Netam Aged About 49 Years R/o School Para, Post Lihagaon, Aamgaon, Baderajpur, Vishrampuri, District Kondagaon Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh

2. Director Directorate Of Public Instruction, First Floor, Face, Indravati, Bhavan, Naya Raipur, Atal Nagar, Chhattisgarh

3. Collector Kondagaon, District Kondagaon Chhattisgarh

4. District Education Officer Kondagaon, Kondagaon, Chhattisgarh

5. Primary School, Khajravand Through Head Master Block Baderajpur, District - Kondagaon Chhattisgarh

6. Primary School, Khajravand Through Head Master Block Baderajpur, District - Kondagaon Chhattisgarh

---- Respondents

WPS No. 8702 of 2022

Videshri Netam D/o Sukhram Markam Aged About 34 Years R/o Aamadih, Post Vishrampuri, Tehsil Vishrampuri, District Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh

2. Director Directorate Of Public Instruction, First Floor, Face, Indravati Bhawan, Naya Raipur, Atal Nagar, Chhattisgarh

3. Collector Kondagaon, District Kondagaon, Chhattisgarh

4. District Education Officer Kondagaon, District Kondagaon, Chhattisgarh

5. Primary School Plotpara Through Head Master, Aamadih, Block Baderajpur, District Kondagaon, Chhattisgarh

6. Primary School Pitechuva Through Head Master, Block Baderajpur, District Kondagaon, Chhattisgarh

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High Court of Chhattisgarh
Bilaspur

---- Respondents

WPS No. 8737 of 2022

1. Mithu Ram Netam S/o. Sukdu Ram Netam, Aged About 45 Years Working As Head Master (Primary School) At Government Primary School, Timenar Chhoteusari, Block Kondagaon, District : Kondagaon, Chhattisgarh

2. Chitranjan Sodi S/o Dasharu Ram Sodi, Aged About 36 Years Working As Head Master (Primary School) At Government Primary School, Hadeli, Block Kondagaon, District : Kondagaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh

2. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh

3. Divisional Joint Director, Education Division Baster District Bastar, Chhattisgarh.

4. Collector, District Kondagaon, Chhattisgarh.

5. District Education Officer, Kondagaon, District : Kondagaon, Chhattisgarh

6. Block Education Officer, Kondagaon, District : Kondagaon, Chhattisgarh

---- Respondentd

WPS No. 8741 of 2022

1. Dayaram Netam S/o Hariram Netam Aged About 48 Years Working As Head Master (Primary School) At Government Primary School, Khalepara Malakot, Block Kondagaon, District : Kondagaon, Chhattisgarh

2. Ratiram Netam S/o Sukman Aged About 40 Years Working As Head Master (Primary School) At Government Primary School, Budakasa, Block Kondagaon, District : Kondagaon, Chhattisgarh

3. Ramchandra Mourya S/o Indal Ram Mourya Aged About 39 Years Working As Head Master (Primary School) At Government Primary School, Nayapara Karanpur, Block Kondagaon, District : Kondagaon, Chhattisgarh

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High Court of Chhattisgarh
Bilaspur

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh

2. Director Directorate Of Public Instruction Indrawati Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh

3. Divisional Joint Director Education Division Baster, District : Bastar(Jagdalpur), Chhattisgarh

4. Collector District- Kondagaon, District : Kondagaon, Chhattisgarh

5. District Education Officer Kondagaon, District : Kondagaon, Chhattisgarh

6. Block Education Officer Kondagaon, District : Kondagaon, Chhattisgarh

---- Respondents

06/12/2022	Mr. Govind Prasad Dewangan and Mr. Raza Ali, counsel for respective petitioners. Mr. Sandeep Dubey, Deputy Advocate General for the State. Heard. Issue notice to respondents. Learned State Counsel accepts notice on behalf of respondents, hence process fee is not required to be paid for issuance of notice to respondents. He prays for and is granted four weeks time to file reply. Also heard on application for grant of interim relief. Learned counsel for petitioners submit that vide order of promotion issued by the District Education Officer, Kondagaon, the petitioners, who were working on the post of Assistant Teachers, are promoted to the post of Headmaster and pursuant thereto they joined on promotional post. However, respondent -District Education Officer vide order impugned, cancelled duly executed promotion order of petitioners without affording any opportunity of hearing to them. Hence, impugned order being passed in violation of principles of natural justice is bad in law. They submit that identical issue came up for consideration before this Court and in those cases, interim order was passed in favour of the petitioners therein. They pray that similar order may be passed in these cases also. Learned State Counsel would submit that based on recommendation of the Departmental Promotion Committee (DPC), promotion orders of petitioners are cancelled. However, he failed to produce any document showing that before issuance of order of cancellation of promotion, any opportunity of hearing was given to the petitioners. He do not dispute submission of learned counsel for the

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petitioners that in identical cases, notices were issued and interim relief is granted to petitioners therein.

In view of above submission of learned counsel for petitioners, purely as an interim measure it is directed that effect and operation of order impugned, shall remain stayed till next date of hearing.

List it along with WPS No.7315/2022 for analogous hearing.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

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Bilaspur

Praveen