NAFR

HIGH COURT of CHHATTISGARH, BILASPUR

WPS No. 9086 of 2022

- Smt. Bhuneshwari Rathore D/o Dwarika Prasad Aged About 39 Years Presently Working As Assistant Teacher (L.B.) At Government Primary School Purainakhar, Block Katghora, District Korba (C.G.)

------Petitioner

VERSUS

1. State of Chhattisgarh, through the Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)
2. Director, Directorate of Public Instructions, Indrawati Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)
3. Collector, District Korba (C.G.)
4. Divisional Joint Director, Education Division Bilaspur, District Bilaspur (C.G.)
5. District Education Officer Korba, District Korba (C.G.)
6. Block Education Officer Katghora, District Korba (C.G.)

-------**Respondents**

(cause title is taken from Case Information System)

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High Court of Chhattisgarh
Bilaspur

For Petitioner : Mr. Achyut Tiwari, Advocate
For Respondents-State : Mr. Vaibhav Singh, Panel Lawyer

Single Bench: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER

19/12/2022

1. Learned counsel for petitioner at the outset submits that at this stage grievance of petitioner would be redressed if petitioner may be permitted to submit a representation before Respondent No. 5/ District Education Officer, Korba, and direction be issued to Respondent No. 5 to consider and decide the same at the earliest.

2. Learned counsel for petitioner further submits that pursuant to order of promotion dated 14.10.2022 petitioner was promoted on the post of Head Master and posted at Primary Girls School, Mudhali, Katghora. On the date of promotion, post of Head Master was vacant in the same school where he was posted as Assistant Teacher ie., Primary School, Purenakhar, Katghora. According to the letter/ direction issued by Respondent No. 2/ Director, Public Instruction

Directorate, Raipur to all the DEOs and Joint Director, Education with regard to posting of Assistant Teacher in the same school, on their promotion to the post of Head Master, Primary School, if the post of Head Master is lying vacant, which was not followed by Respondent No. 5 and posted the petitioner at different school. At this stage, petitioner may be permitted to submit a representation before Respondent No. 5 and the Respondent No. 5 be directed to decide the representation of petitioner at the earliest.

3. On the other hand, learned State counsel submits that as the learned counsel for petitioner is not pressing this writ petition on merits and only seeking permission to submit representation before Respondent No. 5 and further seeking direction to be issued to Respondent No. 5 to decide representation of petitioner at the earliest, he is having no objection.

4. I have heard learned counsel for the parties.

5. Considering the submission of learned counsel for petitioner seeking permission to submit a representation before Respondent No. 5, without entering into merits of the case, I find it appropriate to dispose of this writ petition at this stage permitting the petitioner to submit a detailed representation raising all grounds as raised in this writ petition, before Respondent No. 5/ District Education Officer, Korba, and if such a representation is submitted Respondent No. 5 shall consider and decide the same expeditiously, in accordance with law, preferably within a further period of **03 weeks** from the date of receipt of representation.

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

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

/Pawan

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Bilaspur