



HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1011 of 2023

Parmeshwar Baghel S/o Late Benuram Baghel Aged About 39 Years Posted As Assistant Teacher (L.B.), At Government Primary School Bhaismudi Block Mainpur District Gariyaband Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Director Directorate Of Public Instruction Indrawati Bhawan, Naya Raipur, Atal Nagar District Raipur Chhattisgarh
3. Joint Director Education Division Raipur District Raipur Chhattisgarh
4. District Education Officer Gariyaband, District Gariyaband Chhattisgarh

---- Respondents

03/02/2023	Mr. Mateen Siddiqui, counsel for the petitioner. Mr. Amrito Das, Addl. A.G. for the State. Heard. Issue notice to respondents. Mr. Amrito Das, Addl. A.G. accepts notice for respondents. Hence, PF is not required to be paid for issuance of notice to respondents. Learned counsel for the State/respondents prays for and is granted two weeks time to file reply to writ petition. Also heard on IA No.1, which is an application for grant of interim relief.



	Learned counsel for the petitioner would submit that respondent No.4, based on the recommendation made by Departmental Promotion Committee recommending the name of eligible Assistant Teachers for their promotion on the post of Headmaster, Primary School, issued the list of eligible Assistant Teachers for their promotion on the post of Headmaster, Primary School vide order dated 31.10.2022. During pendency of the proceeding of issuance of order of appointment, respondent No.4 has issued another order dated 17.01.2023 under the head of 'amended order', in which name of the petitioner is not mentioned, which is erroneous. He contended that the petitioner fulfills all the eligibility criteria of promotion and, therefore, his name came in the list of recommended Assistant Teacher for promotion. Learned counsel for the respondents/State would submit that as per instructions received by him, petitioner's name has not been left but is kept under circulation as some preliminary inquiry is pending against him along with some other Assistant Teachers. In view of aforementioned facts of the case when as submitted by learned counsel for the petitioner, the petitioner is otherwise eligible for consideration of his promotion on the post of Headmaster, Primary School, except the objection of some preliminary inquiry pending against him, it is directed that till the next date of hearing, one post of Headmaster, Primary School in District- Gariyaband shall be kept vacant. List this case in the week commencing 20th February 2023. Certified copy as per rules. Sd/- (Parth Prateem Sahu) Judge
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