



2025:CGHC:39559



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2224 of 2023

Mohan Singh Paraste S/o Rai Singh Aged About 50 Years Address - Presently Posting Govt. Middle School Kamarji Block - Bharatpur, Now District Manendragarh Chirmiri Bharatpur, Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through The Secretary, School Education Mahanadi Bhawan, Mantralaya, Nava Raipur, Atal Nagar, District : Raipur, Chhattisgarh

2 - Management Director, State Project Department Package Coordinator Second Floor, Chhattisgarh Secondary Board Pension Bada, Raipur, District : Raipur, Chhattisgarh

3 - District Education Officer, Koriya Now District Manendragarh - Chirmiri - Bharatpur, Chhattisgarh.

4 - Block Education Officer, Block Bharatpur District Koriya Now District Manendragarh - Chirmiri - Bharatpur, Chhattisgarh.

... Respondents

(Cause-title taken from Case Information System)

For Petitioner : Mr. Lekhram Dhruw, Advocate

For Respondents-State : Mr. Devesh G. Kela, P.L.

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

07.08.2025

1. The instant writ petition is preferred by the petitioner with the following relief(s):-

“(i) That, the Hon'ble Court may kindly be pleased to quash/set-aside impugned order



dated 29.08.2022 passed by the respondent no. 4, in the interest of justice.

(ii) That, the Hon'ble Court may kindly be pleased to direct the respondent authorities to consider pending application (Annexure P-2) and decide for selection on the post of Package Coordinator within stipulated time, in the interest of justice.

(iii) Any other relief, which the Hon'ble Court may deem fit and proper in the facts and circumstances of the case may also be granted in favour of the petitioners.”

2. Learned counsel for the petitioner submits that the petitioner was initially appointed as an Upper Division Teacher and was subsequently posted on the post of Package Coordinator vide order dated 02.09.2016, and has since then discharged his duties sincerely and efficiently without any complaint for over six years. However, without any adverse remark or allegation against the petitioner, respondent No. 4 has, vide impugned order dated 29.08.2022, arbitrarily replaced him by appointing a junior employee, Shyam Lal Nagesh, who is working as Assistant Teacher (L.B.), to the said post. It is submitted that the petitioner has continuously approached the respondent authorities through several representations pointing out that his removal is not only unjust but also violative of the guidelines/circular issued by the State Government dated 22.01.2021, which clearly provides in paragraph-4 of the selection process that “maximum Higher Class



Teachers/Principals shall be nominated for the post of Cluster Coordinator for the reorganized clusters.” The impugned order is in direct contravention of these guidelines and therefore unsustainable in the eyes of law. The petitioner thus prays for a direction to the respondent authorities to consider and decide his pending representation dated 28.01.2023 expeditiously in accordance with law.

3. On the other hand, learned State counsel appearing for respondents submits that he is having no objection to the prayer made by the petitioner and submits that the pending representation of by the petitioner may be considered and decided by the respondent authorities i.e respondents No.2 and 3 expeditiously.
4. I have heard learned counsel appearing for the parties, considered their rival contentions and perused the documents annexed with the writ petition.
5. Having considered the submissions made by learned counsel for the petitioner and the nature of the grievance raised, this Court is of the opinion that at this stage, the ends of justice would be served if the writ petition is disposed of with a direction to the competent respondent authority to consider and decide the petitioner's pending representation in accordance with law. It is specifically submitted that the petitioner has been discharging his duties on the post of Package Coordinator since 02.09.2016 and



has served for more than six years without any complaint, and his removal from the said post by appointing a junior employee is alleged to be arbitrary and in violation of the government circular dated 22.01.2021. The petitioner has already approached the authorities by submitting representations ventilating his grievance.

6. In view of the above, without entering into the merits of the case or expressing any opinion thereon, the writ petition is **disposed of** with a direction to the concerned respondent authority to consider and decide the petitioner's pending representation(s) in light of the applicable rules and the guidelines contained in the circular dated 22.01.2021, by passing a reasoned and speaking order within a period of 45 days from the date of receipt of a certified copy of this order.
7. It is made clear that this Court has not adjudicated upon the merits of the rival claims, and all rights and contentions of the parties are left open to be considered by the competent authority during such consideration.

Sd/-

(Amitendra Kishore Prasad)
Judge