



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 8771 of 2019Jamuna Kishor Sahu **Versus** State Of Chhattisgarh & Ors.

24/10/2019	Shri Varun Sharma, Counsel for the Petitioner. Ms. Akansha Jain, Dy. G.A. for the State. Heard. Learned counsel for the petitioners contends that the petitioners were appointed as Shikshakarmi Grade III. Subsequently petitioner No. 1 was promoted to Shikshakarmi Grade II teacher (grant) in the year 2007 and petitioners No. 2 to 4 were promoted in the year 2016 by the recommendation of District Education Officer. It is contended that initially the service of petitioners were governed by C.G. Panchayat Shikshakarmi (Recruitment and Conditions of Service) Rules 1997 and Rule 8 provides for the promotion how to be guided, however, subsequently the letter dated 30.09.2019 (Annexure P-1) was issued directing the reversion of the petitioners by cancelling the approval of District Education Officer under Rules named म. प्र. अशासकीय शिक्षण संस्था (स्कूलों में कार्यरत अध्यापकों तथा अन्य कर्मचारियों की पदोन्नति) नियम, 1988. It is stated that the Rule have been wrongly interpreted and by application of wrong rule the demotion order has been issued.



Issue notice to the respondents.

Ms. Akansha Jain, Dy. G.A. appears and accepts notice on behalf of respondents No. 1 to 3 and therefore process fee be paid for service on respondent No. 4, only.

Learned State counsel is directed to file reply.

Perused the document and also the rules. Considering the fact that the petitioner were promoted way back in the year 2007 and 2016 respectively the interpretation of the application of the rules needs to be decided, the issue needs consideration. In the meanwhile, it is directed that the petitioner shall not be demoted from their post of Shikshakarmi Grade II and effect and operation of Annexure P-1 shall remain stayed till the next date of hearing.

List the case after six weeks.

Certified copy today.

Sd/-
(Goutam Bhaduri)
Judge