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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 9287 of 2022**

1. Bhisham Kumar S/o Chandrabhan Aged About 27 Years R/o Ward No.14 Village- Bhothali, Post- Bhothali, Tehsil- Dongargarh, Dist- Rajnandgaon 491445, Chhattisgarh
2. Urmila W/o Dhaneshwar Uraon Aged About 30 Years R/o Govt. Girls Polytechnic College, Raipur Dist- Raipur 492001, Chhattisgarh
3. Dinesh Kumar Sinha S/o Anoop Kumar Sinha Aged About 32 Years R/o Ward No. 15, Ghsidas Nagar Housing Board, Near Shitla Mandir, Post- Bhilai, Dist- Durg 490026, Chhattisgarh
4. Atul Lakra S/o Ayajub Lakra Aged About 27 Years R/o Village- Chainpur, Ward No. 02, Dist- Sarguja 497114, Chhattisgarh
5. Ravin Kumar S/o Amrit Lal Aged About 32 Years R/o House No. 205, Nature Meadows, Nature City Post- Sakari, Dist- Bilaspur, 495001, Chhattisgarh
6. Vinod Kumar Kanwar S/o Mukund Singh Kanwar Aged About 31 Years R/o House No. M/ 618 Adarsh Nagar Kusmunda, Korba, Dist-Korba 495454, Chhattisgarh
7. Umesh Kumar S/o Pnachram Aged About 27 Years R/o Dipa Para Village- Chhatuana, Post- Bhothali, Dist- Raigarh 496450, Chhattisgarh
8. Kaushal Kumar S/o Bishal Ram Aged About 27 Years R/o House No.40, Saraipara, Village-Chichmarra, Post- Ansulkhar, Dist- Kanker, 494669, Chhattisgarh

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Mantralaya Nawa Raipur, Chhattisgarh
2. The Director Directorate Of Public Instruction, Atal Nagar, New Raipur, Chhattisgarh
3. The District Education Officer Raipur, District- Raipur, Chhattisgarh

**---- Respondents**

04/01/2023	<p>Mr. R.K. Verma and Mr. Shiv Kumar Banjare, counsel for the petitioners.</p> <p>Mr. Sandeep Dubey, Dy.A.G for the State.</p> <p>Heard.</p> <p>Issue notice to respondents.</p> <p>Mr. Sandeep Dubey, Dy.A.G, accepts notice for the respondents. Hence, process fee for issuance of notice to respondents is not required to be paid.</p> <p>Learned counsel for the respondents-State prays for and is granted 3 weeks time to file reply to the writ petition.</p> <p>Also heard on IA No.1, which is an application for grant of interim relief.</p> <p>Learned counsel for the petitioners submits that pursuant to advertisement (Annexure P-1) petitioners submitted applications for appointment on the post of Assistant Teacher (Lab). Petitioners' names found place above in the merit list. They were called for verification of documents, according to preference of districts given by the petitioners, they were allotted districts. But, when they approached to concerned districts which were allotted to the petitioners, after verification of the documents, they were informed that posts are not vacant. Respondents authority in the said facts of the case was under obligation to allot the second choice/third choice district of the petitioners, but they were not allotted other district and as per information supplied by the petitioners, candidates whose names are appearing lower in the merit list or having secured less marks than that of the petitioners have been appointed in other district. He submits that posts of Assistant Teacher (Lab) are still lying vacant. Merit list prepared by</p>

respondent State is having its life till February 2023 as per the order issued by the respondent.

Learned counsel for the State would submit that he will also file reply to interim application.

Considering the submission of learned counsel for the petitioners, particularly the submission that petitioners on the basis of their position in merit list were called for verification of documents, they were sent to district of their first choice where the post of Assistant Teachers (Lab) were not vacant and therefore they were not given appointment, purely as an interim measure, it is directed that 2 posts of Assistant Teacher (Lab) in the OBC category and 6 posts of Assistant Teacher (Lab) in ST category, if not already filled-up, shall be kept vacant till the next date of hearing.

List this case immediately after four weeks.

Certified copy as per rules.

Sd/-  
**(Parth Prateem Sahu)**  
Judge