

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 7559 of 2023

- 1 - Ritik Kumar S/o. Chhotelal, Aged About 29 Years R/o.141, Teliyamar, Pasan, Poundi Uproda, District - Korba, Chhattisgarh.
- 2 - Indra Kumar, S/o. Karan Singh, Aged About 33 Years R/o. 117(2), Jaali, Dongari, Katghora, District - Korba, Chhattisgarh.
- 3 - Mrigendra Kumar Banjare, S/o. Purushottam Banjare, Aged About 37 Years R/o. Ward No.8, Mohline Bhatha, Katghora, District - Korba, Chhattisgarh.
- 4 - Nehru Lal, S/o. Balihar Singh, Aged About 33 Years R/o. Rajgamar Basti, Ompur, District - Korba, Chhattisgarh.
- 5 - Dharmendra Jaiswal, S/o. Jugal Prasad, Aged About 32 Years R/o. H.No.347, Mahamai Para-3, Akhrar, District - Mungeli, Chhattisgarh.
- 6 - Shivprasad Mahilange, S/o. Amritlal Mahilange, Aged About 30 Years R/o. 423, Juna Para, Sendaripali, Kerakachhar, District - Korba, Chhattisgarh.
- 7 - Krishna Kumar Kunwar, S/o. Kushal Singh, Aged About 36 Years R/o. 313, Tilwaripara, Ranjana, District - Korba, Chhattisgarh.
- 8 - Maheshwar Kumar Sahu, S/o. Radhe Shyam Sahu, Aged About 32 Years R/o. Telsara Road, Jangal Side, Banki Mongra, District - Korba, Chhattisgarh.
- 9 - Jaishree Thakur, W/o. Trilok Singh, Aged About 44 Years R/o. 241, Ward No.4, Dewangan Para, District - Korba, Chhattisgarh.
- 10 - Bhanu Pratap, S/o. Patthar Singh, Aged About 30 Years R/o. 03, Kanjipani, Ghuighuva, Chitma, District - Korba, Chhattisgarh.

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Versus

- 1 - State Of Chhattisgarh Through Its Principal Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan, Atal Nagar Naya Raipur, District - Raipur, Chhattisgarh.
- 2 - Director, Directorate Of Public Instruction, Department Of School Education, Indrawati Bhawan, Block-C, 1st Floor, Atal Nagar Naya Raipur, District - Raipur, Chhattisgarh.
- 3 - District Education Officer, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.
- 4 - Distirct Education Officer, Gariaband, District - Gariaband, Chhattisgarh.
- 5 - District Education Officer, Khairagarh-Chhuikhandan-Gandi, District - Khairagarh-Chhuikhadan-Gandai, Chhattisgarh.
- 6 - District Educaiton Officer, Kabirdham, District -Kabirdham, Chhattisgarh.
- 7 - District Education Officer, Raigarh, District -Raigarh, Chhattisgarh.
- 8 - District Education Officer, Mungeli, District -Mungeli, Chhattisgarh.
- 9 - District Education Officer, Janjgir-Champa, District -Janjgir-Champa, Chhattisgarh.
- 10 - District Education Officer, Bilaspur, District -Bilaspur, Chhattisgarh.

---- Respondents

(Cause-title as taken from CIS System)

For Petitioners	:	Mr. Faisal Akhtar, Advocate
For State	:	Ms. Priyamvada Singh, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

29/09/2023

1. Learned Counsel appearing for the Petitioners submits that the facts of the instant petition is similar to Writ Petition (s) No. 4644/2022 (Suraj Prakash Sahu Vs. State of C.G. and others) and other connected matters which were already decided by common order dated 21.02.2023 passed by Coordinate Bench of this Court. Therefore, it is prayed that the instant petition may be disposed of in terms of order passed by Coordinate Bench of this Court.
2. The co-ordinate Bench of this court while disposing of the bunch of the cases in WPS No 4644 of 2022 and other connected has passed the following order.

“4. The Coordinate Bench of this court in WP(S) No 5269 of 2022 in its order dated 4-8-2022 had observed as under:

“The grievance of the petitioner in this case is that the appointment of Lecturer, Teacher and Assistant Teacher for three districts namely Surguja, Korba and Bastar has been made which was challenged and stayed by this court and when the stay was in operation, State Government issued circular for submission of option form for three districts. Since the stay was vacated and the petitioners have filed the instant petition with a prayer that they are residents of Districts Surguja, Korba and Baastar, but they could not submit the option form for Surgujna, Korba and Bastar Districts on account of interim protection granted by this court, therefore, they be allowed for submitting their option form for the relevant districts.

This is practical difficulty which has to be resolved by issuing an appropriate direction to the State.

Accordingly, it is directed that the Director, Public Instructions should develop a mechanism to allow the candidates belonging to the Districts Surguja, Korba and Bastar, who have already been appointed in pursuance of the advertisement as Lecturer, Teacher and Assistant Teacher to submit their merit position is above the candidates who have been appointed in these districts and the vacancies are available, then they will be allowed to challenge their posting at these districts only. These facilities will be available for those candidates who could not submit the option in view of the stay passed by this court which was ultimately vacated and the writ petitions have been dismissed by this Court”

5. In the aforementioned facts of the case and considering the submission of learned counsel for petitioners, writ petitions are disposed off permitting petitioners to submit representation before respondent No.1 and 2 and if such representation is submitted, respondent No.1 and 2 shall consider and decide the same expeditiously keeping in mind the prevailing situation at the time of submission of options by petitioners at that relevant point of time”
3. Accordingly, the present petition is disposed of in terms of the order dated 21-2-2023 passed by co-ordinate Bench of this court in WPS No 4644 of 2022 and other connected matters.

Sd/-
(Arvind Singh Chandel)
Judge