



**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE SUSHRUT ARVIND  
DHARMADHIKARI  
WRIT PETITION No. 25716 OF 2023  
LAHU SARODE  
Versus  
THE STATE OF MADHYA PRADESH AND OTHERS**

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***Appearance :***

*Shri Santosh Anand – Advocate for the petitioner.*

*Shri Jitendra Shrivastava – Panel lawyer for the respondent/State.*

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**Reserved on:- 03.09.2024**

**Pronounced on:- 01.10.2024**

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**ORDER**

By filing this petition under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:-

- (I) Issue a writ in the nature of mandamus directing respondent Nos. 2 and 3 to consider the representation of the petitioner dated 07/08/2023 (Annexure P/8) and promote the petitioner in the post of Principal High School.
- (II) Directs the respondents to provide equal opportunity of promotion to the post of Principal High School to petitioner taking into consideration the length of their services rendered



as Head Master Middle School at par with Lecturers Higher Secondary School and further equal opportunity for further promotion to post of Principal Higher Secondary School as has been provided to the Lecturers Higher Secondary School be given in equal raation to both cadres without making any discrimination between them.

(III) Issue any other writ, relief/reliefs, order/orders, direction/directions in the nature of writ under Article 226 of the Constitution of India as this Court may deems fit and proper in facts and circumstances of the case, may kindly be granted to the petitioner.

(IV) The cost of the petition may also be allowed.

2. Brief facts of the case are that the petitioner was initially appointed on the post of Upper Division Teacher vide order dated 24/03/1987. Thereafter, the petitioner has been promoted to the post of Head Master, Government Middle School, Mordongari, Block Pandhurna, District Chhindwara. Thereafter, services of the petitioner were handed over to the School Education Department of Madhya Pradesh Government and merged into the State Government School Education Department vide order dated 30/05/2006 and by said order, the date of seniority has been taken since the date of his first appointment. The petitioner was promoted as lecturer on 18/01/2012. In the promotion list of 18/01/2012, one of the similar situated candidate of Chemistry subject, whose joining date is 08/10/1993 was promoted to the post of Lecturer Chemistry and the petitioner has been left out, while he possesses the requisite qualifications etc., which are the critreria for the said post. Feeling



aggrieved with the same, petitioner has raised his grievance before the competent authority/respondents vide Annexure dated 07/08/2023.

3. Learned counsel for the petitioner submitted that the direction may be issued to respondents to decide the Annexure P/8 dated 07/08/2023 as early as possible.
4. Per contra, learned Panel Lawyer for the State has not opposed the innocuous prayer made by learned counsel for the petitioner.
5. Heard learned counsel for the parties.
6. In view of the aforesaid facts and circumstances of the case, respondent Nos. 2 and 3 are directed to decide the petitioner's representation dated 07/08/2023 (Annexure P/8) as expeditiously as possibly preferably within a period of two months from the date of receipt of certified copy of this order.
7. It is made clear that this Court has not expressed any opinion on the merits of the case.
8. With the aforesaid directions, this petition is **disposed of**.  
No order as to costs.

**(SUSHRUT ARVIND DHARMADHIKARI)**  
**JUDGE**