

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2655 of 2015**

- Ashok Kumar Satnami S/o Subedar Ram Satnami Aged About 42 Years Working As Head Master Permanent R/o Ward No. 32 In Front Of Jute Mill Raigarh, P.S. & Tah Raigarh, District Raigarh, (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, New Raipur Rakhi, P.S. New Raipur, Tah. & Distt. Raipur, (Chhattisgarh)
2. District Education Officer, Raigarh, Distt. Raigarh, (Chhattisgarh)
3. The Block Education Officer Pusour, Distt. Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri VK Pandey, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****05/10/2015**

1. By the impugned order, the District Education Officer has modified petitioner's posting order after its execution. On 4-3-2015, the petitioner was promoted and posted as Head Master of Government Middle School, Bondatikra, Block Pussour. On the ground that the number of students are less at Bondatikra School, petitioner's posting has been amended and he has been posted to Government Middle School, Nunsiya, Block Raigarh.
2. On 27-7-2015, this Court had granted interim relief to the petitioner by observing that the Head Masters being the administrative head of a middle

school cannot be posted elsewhere on the ground that there are less number of students in the school. This Court also noted the argument raised by petitioner's counsel that there are five more teachers working in the school under the petitioner, therefore, if any teacher was required to be shifted on the basis of number of students, any person junior in the cadre should have been considered and the administrative head of the school cannot be considered as surplus.

3. Considering the nature of dispute and the circumstances in which the petitioner's posting has been amended, instead of keeping this petition pending, it is deemed appropriate to dispose it of by allowing the petitioner to move a representation before the concerned Collector within a period of one month from today. On such representation being filed, the Collector shall consider and decide petitioner's representation at the earliest, preferably within a period of six months from the date of submission of representation.
4. Till the petitioner's representation is decided, interim order passed earlier shall continue.

Sd/-

Judge

Prashant Kumar Mishra

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