

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3350 of 2015

- Natwar Sai Paikra S/o Late Shri Amar Sai Paikra, Aged About 50 Years Working As Headmaster, R/o Village Siharkud, Post Kansabel, Tahsil Kansabel, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Scheduled Caste & Schuled Tribe Development, Mantralaya New Raipur, P.S. Rakhi, District Raipur Chhattisgarh
2. The Collector, (Tribal Branch), Ambikapur, District Surguja Chhattisgarh
3. The Block Education Officer, Sitapur, District Surguja Chhattisgarh

---- Respondents

For Petitioner	Shri D.K. Vishwakarma, Advocate
For Respondent/State	Shri Y.S. Thakur, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

16/09/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. In October, 2008, the petitioner was promoted on the post of Head Master and was posted at Government Middle School, Kerju, Block Sitapur, however, the Block Education Officer directed the petitioner to assume charge in the Government Girls Middle School, Kerju and since thereafter the petitioner was continuously working in the said school.

3. Pursuant to the rationalization of schools, the Government Girls Middle School, Kerju has been merged in the Middle School, Kerju vide order dated 16.06.2015 (Annexure-P-5). According to the petitioner, after merger of the Government Girls Middle School, Kerju in the Middle School, Kerju, he is deprived of the post of Head Master, because someone else is posted in the said school.
4. Learned counsel would submit that the petitioner having been posted at Middle School, Kerju vide order dated 07.10.2008, he is entitled to have the charge of Head Master of the said school. However, one Iblal Singh is presently working as Head Master in the Government Middle School, Kerju.
5. Considering the nature of dispute raised in this petition, it is deemed appropriate that the Collector (Tribal Branch), Ambikapur should look into the matter. The petitioner may prefer a representation before the respondent No.2, the Collector (Tribal Branch), Ambikapur within one month and thereafter the said Collector shall decide the representation expeditiously.
6. It is made clear that this Court has not expressed any opinion on the merits of the case and the concerned Collector shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA