

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6396 of 2017

Bheem Sen Swarnkar S/o Bodh Ram Swarnkar Aged About 54 Years Presently Working As Head Master At Government Boys Middle School Patthalgaon District Jashpur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of School Education New Mantralaya Capital Complex , Mahanadi Bhawan Raipur Chhattisgarh.
2. Director , Rajiv Gandhi Shiksha Mission , Pension Bada Raipur Chhattisgarh .
3. Collector - Cum - District Mission Director , Rajiv Gandhi Shiksha Mission Jashpur Distict Jashpur Chhattisgarh.
4. The District Education Officer, District Jashpur Chhattisgarh.
5. District Mission Coordinator , Jashpur District Jashpur Chhattisgarh.
6. Block Education Officer, Block Patthalgaon District Jashpur Chhattisgarh.
7. Principal , Boys Higher Secondary School Patthalgaon Tahsil Patthalgaon District Jashpur Chhattisgarh.
8. Laxman Sharma , Lecturer , At Government Higher Secondary School Gala, Block Patthalgaon, District Jashpur At Present Working At Boys Higher Secondary School Patthalgaon Tahsil Patthalgaon Distirct Jahspur Chhattisgarh.
9. Dipendra Kumar Sinha , Lecturer (Panchayat) Working At Government Higher Secondary School Duldula , Block Duldula, Distirct Jashpur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri R.S. Patel, Advocate
For Respondents	:	Shri A.S. Kachhawaha, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/11/2017

Heard.

1. The order dated 29.9.2017 by which petitioner's representation has been

rejected has been challenged on the ground that there is violation of Clause-1 of circular dated 15.3.2017 which provided for posting as Block Resource Person (BRP) at the Block Level the senior most BRP.

2. Learned counsel for the petitioner would submit that the petitioner is a Head Master whereas respondents No. 8 & 9 are Lecturers, therefore, these persons could not be continued as BRP as their substantive posting is as Lecturer in various schools.
3. Policy dated 15.3.2017 in Clause- 1 clearly shows that the exercise is required to be taken in respect of those BRP who were actually working on the date of issuance of circular dated 15.3.2017.
4. Learned counsel for the petitioner could not dispute that on the date circular dated 15.3.2017 was issued, the petitioner was working as Head Master. The posting of the officers in various places are matters of administrative consideration. Service conditions of the petitioner have not been adversely affected. Impugned order shows that there is need of Head Master in school where the petitioner is presently posted. Therefore, viewed from any angle, there is no legal injury caused to the petitioner warranting interference by the writ Court.
5. Therefore, the petition is liable to be dismissed and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge