

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1526 of 2017**

- Smt. Pushpanjali Pandey W/o Shri S. P. Pandey, Aged About 38 Years Lecturer, Presently Working On The Post Of Hostel Superintendent At Govt. Kasturba Gandhi Girls Residential School, Banji, P. S. Jhagrakhand, Block Manendragarh, Distt. Korea (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mantralay, Mahanadi Bhawan, Naya Raipur, Distt. Raipur (Chhattisgarh)
2. The Mission Director, State Project Office, Rajeev Gandhi Shiksha Mission, Raipur, Distt. Raipur (Chhattisgarh)
3. Collector, Baikunthpur, District Korla (Chhattisgarh)
4. District Education Officer, Baikunthpur, District Korla (Chhattisgarh)
5. Chief Executive Officer- Paden- District Project Director, Rajeev Gandhi Shiksha Mission, Baikunthpur, Distt. Korla (Chhattisgarh)
6. District Mission Co-Ordinator, Rajeev Gandhi Shiksha Mission, Baikunthpur, Distt. Korla (Chhattisgarh)
7. District Project Co-Ordinator, Rajeev Gandhi Shiksha Mission, Baikunthpur, Distt. Korla (Chhattisgarh)
8. Smt. Anita Acharya, Teacher, Kasturba Gandhi Girls Residential School, Banji, P. S. Jhagrakhand, Block Manendragarh, Distt. Korla (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri AS Rajput, Advocate
For Respondents-State	:	Shri Satish Gupta, GA for the State
For Respondents No.6 & 7:		Shri BL Sahu, Advocate on behalf of Shri AS Kachchwaha, Advocate
For Respondent No.8	:	Shri Varun Sharma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/03/2017**

1. Petitioner's substantive post is Lecturer (Panchayat). Vide Annexure P-1 dated 30.12.2015, she was posted as Hostel Superintendent of Govt. Kasturba Gandhi Girls Residential School, Banji, Block Manendragarh in place of one Smt. B. Bada. By the impugned order dated 25.03.2017, the CEO-cum-Ex-officio-District Project Co-ordinator of Rajeev Gandhi Shiksha Mission, Korea, repatriated the petitioner to her original place of posting i.e. Govt. High School, Chanti, Block Bharatpur.
2. Shri Bharat Rajput, learned counsel for the petitioner would submit that petitioner's earlier posting as Hostel Superintendent, Kasturba Gandhi Girls Residential School, Banji, Block Manendragarh was made by the District Education Officer under approval from the Collector, therefore, the CEO-cum-Ex-officio-District Project Coordinator of Rajeev Gandhi Shiksha Mission, Korea, an authority sub-ordinate to the Collector, has no authority to pass the impugned order.
3. At this stage, Shri Varun Sharma, learned counsel for respondent No.8 would submit that the said respondent has already joined at the Govt. Kasturba Gandhi Girls Residential School, Banji, Block Manendragarh.
4. Shri Rajput would strongly controvert this statement on submission that charge has never been handed over by the petitioner to respondent No.8.
5. Considering the two conflicting orders Annexure P-1 & P-2 and for the fact that the first order was issued under approval from the concerned Collector, as also for the reason mentioned in the impugned order Annexure P-2, which has occasioned petitioner's repatriation, I deem it appropriate to dispose of the writ petition with direction that the petitioner shall move representation before the Collector, Korea, within a period of two weeks

from today and thereafter the said Collector shall consider and decide the representation by speaking order, at the earliest, preferably within a period of next four weeks.

6. Till the Collector decides petitioner's representation or for a period of six weeks, whichever is earlier, the parties shall maintain *status quo* in respect of posting at Govt. Kasturba Gandhi Girls Residential School, Banji, Block Manendragarh.

Sd/-

Judge
Prashant Kumar Mishra

Ashu