

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2809 of 2018**

Dilip Kumar Das S/o Shri Nandu Das Aged About 43 Years Working on the post of Accountant/ Mobile Resource Block Resource Co-Ordinator Rajeev Gandhi Shiksha Mission Wadrafnagar District Balrampur Ramanujganj (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education New Raipur District Raipur Chhattisgarh
2. The Director Of Mission Rajeev Gandhi Siksha Mission Raipur District Raipur Chhattisgarh.
3. Collector/ District Mission Director Rajeev Gandhi Siksha Mission Balrampur District Balrampur Ramanujganj Chhattisgarh.
4. Assistant Program Coordinator District Project Office Rajeev Gandhi Siksha Mission Balrampur District Balrampur Ramanujganj Chhattisgarh.
5. Block Education Officer/ Block Resource Coordinator Center Wadrafnagar District Balrampur Ramanujganj (Chhattisgarh)
6. Block Education Officer/ Block Resource Coordinator Center Balrampur District Balrampur Ramanujganj Chhattisgarh.
7. Anup Kumar Pandey Mobile Resource/ Accountant Block Resource Co-Ordinator Rajeev Gandhi Shiksha Mission Wadrafnagar District Balrampur Ramanujganj Chhattisgarh.

----Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/04/2018**

1. Present petition has been filed challenging Annexure P/6 dated 31.03.2017, where the petitioner who is working on the post of Mobile Resource/Accountant has been shown to be surplus and in for all probability the services of the petitioner would be transferred to a different place by the department.

2. The limited grievance of the petitioner is that the petitioner was initially appointed on 07.03.2013 vide Annexure P/1 and he was posted at Block Recourse Center, Wadrafnagar, District Balrampur-Ramanujganj and subsequently on administrative exigency the services of the petitioner was attached to the Block Resource Center, Balrampur on 05.08.2014 and now his seniority by the department has been considered w.e.f. 05.08.2014 as is reflected from Exhibit P/6 i.e. from the date he was attached to the office of Balrampur.
3. The counsel for the petitioner submits that his services from 11.03.2013 to 05.08.2014 has been wiped out by the department and has been shown to be junior at Balrampur, whereas if his past service at Wadrafnagar is taken into account, the petitioner cannot be declared to be a surplus candidate.
4. Given the limited dispute raised by the petitioner, this Court is of the opinion that ends of justice would meet if the writ petition itself is disposed off with a direction to the respondent No.3 to consider the grievance of the petitioner so far as his seniority is concerned, which according to the petitioner he is entitled from 11.03.2013 as have been granted to Shri Ashish Kumar Gupta and Shri Chandrashekhar Prasad, who were also appointed along with the petitioner vide Annexure P/1.
5. Let the Collector take a decision on this issue within a period of 45 days from the date of presentation of the certified copy categorically deciding the seniority of the petitioner.

6. It shall be the duty of the petitioner to make a fresh representation along with the order of this Court to the respondent No.3 within a period of 10 days from today.
7. The writ petition stands accordingly disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved