

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.S. NO. 6492 OF 2018**

Ravi Kumar Rathore, S/o Shri Firant Lal Rathore, aged about 61 years, Lecture, Post at Govt. Higher School, Nagarda, District Janjgir-Champa (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Director, Directorate of Public Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (CG)
2. Collector, Janjgir, District Janjgir-Champa (CG)
3. District Education Officer, Sakti, District Janjgir-Champa (CG)
4. Chief Executive Officer, Janjgir, District Janjgir-Champa (CG)
5. Block Education Officer, Sakti, District Janjgir-Champa (CG)
6. Smt. Alpana Kanwar, Lecturer Panchayat, Lecture posted at Govt. Higher School, Nagarda, District Janjgir-Champa (CG)

... Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate.
For Respondents	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/10/2018**

1. The dispute raised by the petitioner in the present writ petition is the dispute pertaining to the handing over of the charge of the post of Principal of Government Higher Secondary School, Nagarda, District Janjgir-Champa.
2. The regular Principal, Bhagat Ram Kanwar, retired from service on 31.7.2018. Thereafter, the petitioner is the senior most person in the school. The charge was supposed to be handed over to the petitioner. There is also an order in favour of the petitioner by the District Education Officer, but the Principal on his retirement has handed over the charge to respondent no.6 and in spite of the order passed by the District Education Officer, the petitioner is being denied the charge of Principal and is being forced to work under the junior.
3. The petitioner further submits that there is a circular of the State Government also wherein it has been categorically held that on a post falling vacant, the charge should be handed over to the next senior most person in the department, which too is not honoured by respondent no.6.

4. Given the facts and also taking note of the order of the District Education Officer, this Court is of the opinion that ends of justice would serve if the present writ petition is disposed of with a direction to respondent no.1 to take a prompt decision with regard to the dispute of allotment of charge of Principal and while deciding the same ensure that the circular of the State Government are strictly complied with and honoured so also the orders passed by the higher authorities in the department.

5. Let an appropriate decision be taken within a period of 45 days from the date of receipt of certified copy of this order.

6. It shall be the responsibility of the petitioner to apprise the respondent no.1 so far as the order passed by this Court is concerned.

7. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**