

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 1721 of 2019**

Louresiya Khakha W/o Vimal Kujur Aged About 45 Years Presently Working As Superintendent Of Pre-Matric Girls Hostel Wadarfnagar, At Block Wadarfnagar, P. S. Basantpur, Tahsil Wadrafngar, District Balrampur Chhattisgarh, District : Balrampur, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Of School Education, Department Mantralaya, Capital Complex, Mahanandi Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Balrampur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
3. District Education Officer Balrampur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
4. Assistant Commissioner Tribal Welfare, Department Balrampur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
5. Smt. Budhani Singh Presently Working As Superintendent Of Pre-Matric Girls Hostel Balangi, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

**---- Respondents**

|                |   |                                  |
|----------------|---|----------------------------------|
| For Petitioner | : | Mr. Pramod Shrivastava, Advocate |
| For State      | : | Mr. Rahul Mishra, Dy. GA         |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****12/03/2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 14/02/2019 whereby the petitioner who was discharging his duties of superintendent of Pre-matric Girls Hostel, Wadrafngar has been relieved of the charge and sent to her substantive place of posting and the charge of the Superintendent of the Pre-matric Girls

Hostel, Wadrafnagar has been ordered to be given to respondent No.

5. The basic contention of the petitioner in the course of challenge to the impugned order is that the respondent No. 5 is not qualified to hold the post of Superintendent in as much as the respondent No. 5 is only a Assistant Teacher (LB) whereas the petitioner is a Lecturer(Panchayat). That the post of Superintendent cannot be held by a person of the rank of Assistant Teacher(Panchayat) whereas as per the rules governing the field, the petitioner is duly competent and eligible for holding the post of Superintendent of the Girls Hostel.

2. Given the contention of the that the petitioner has made let the case of the petitioner be reconsidered by respondent No. 4 in the aforesaid factual matrix of the case. Let the petitioner make a detailed representation/objection in respect of the order dated 14/02/2019 to the respondent No. 4 within a period of 10 days from today and respondent No. 4 in turn shall consider and decide the representation/objection of the petitioner at the earliest within a period of 30 days from the date of receipt of representation.
3. Counsel appearing for the petitioner makes a statement that respondent No. 5 till date has not come and joined, if that be so, let status quo as it exists today be maintained till the representation/objection of the petitioner is decided by respondent No. 4.
4. The writ petition stands accordingly disposed off.

SD/-  
(P. Sam Koshy)  
Judge