

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1786 of 2019

Smt. Padma Dongre W/o Shri Shyam Dongre Aged About 48 Years
Working As Lecturer, Post Matric Adivasi Girls Hostel, Bilaspur, Block
Bilha District Bilaspur Chhattisgarh, R/o Nearby Shiromani Shop
Bhartiya Nagar, Bilaspur District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Adim Jati Tatha Anusuchit Jati Vikas Vibhag, Mahanadi Bhawan, Mantralaya, Atal Nagar New Raipur District Raipur Chhattisgarh
2. Director Public Instructions, Raipur District Raipur Chhattisgarh
3. Commissioner Adim Jati Tatha Anusuchit Jati Vikas Chhattisgarh, Atal Nagar New Raipur District Raipur Chhattisgarh
4. Assistant Commissioner Tribal Development Department Bilaspur, District Bilaspur Chhattisgarh
5. Kumari Rekha Khande Superintendent, Post Matric, P. G. Adivasi Girls Hostel, Jarhabhata Bilaspur, Block Bilha District Bilaspur Chhattisgarh,
6. Collector Bilaspur District Bilaspur Chhattisgarh

---Respondents

For Petitioner	:	Mr. H.B. Agrawal, Sr. Advocate along with Mr. K.S. Pawar, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/03/2019

1. The petitioner is aggrieved by the decision of the respondent/State, whereby the charge of the Post Metric Adivasi Girls Hostel, at Jarhabhata, Bilaspur has been ordered to be handed over to the respondent No.5.
2. The contention of the petitioner is that the petitioner is substantially a Lecturer and is competent to be appointed as a Superintendent of a

Hostel, whereas the respondent No.5 is not a class-II officer, she is only an Assistant Teacher (L.B.) and thereby she is not competent to be given the charge of Superintendent of a Hostel.

3. It is further the contention of the petitioner that the petitioner has been ordered to be posted at the Govt. Girls Higher Secondary School, Block Pendra, District Bilaspur, but the Principal of the said school, vide his letter dated 14.03.2019 addressed to the District Education Officer, has sought clarification on the ground that there is no sanctioned post of Lecturer lying vacant at Pendra to accommodate the petitioner.
4. The further ground of challenge by the petitioner is that the change of posting of the petitioner has been made allegedly on some complaints, but the copy of the complaint was never given to the petitioner, nor was the petitioner given an opportunity of hearing before the impugned order/decision was taken by the Department.
5. Given the said facts and circumstances of the case, let the petitioner make a detailed representation to the respondents No.3 & 4 in this regard within a period of 10 days from the date of receipt of the copy of this order and on receipt of the said representation, the respondents No.3 & 4 shall take a decision within a further period of 30 days from the date of receipt of the representation.
6. Till the representation of the petitioner is decided by the respondents No.3 & 4, let status-quo as is exists today, so far as the posting of the petitioner is concerned, be maintained.

7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved