

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3591 of 2019

Vinod Shrivastava S/o T. L. Verma, Aged About 48 Years Block Resource Coordinator, S. Lohara, District Kabirdham, Chhattisgarh.

---- Petitioner(s)

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh.
2. Mission Director, Rajeev Gandhi Shiksha Mission, District Project Office, Raipur, District Raipur, Chhattisgarh.
3. Collector, Kabirdham, District Kabirdham, Chhattisgarh.
4. District Mission Coordinator, Rajeev Gandhi Shiksha Mission, Kabirdham, District Kabirdham, Chhattisgarh.
5. Sunil Kumar Mehra, Lecturer(L. B.), Govt. Higher Secondary School, Birendranagar, Block S. Lohara, District Kabirdham, Chhattisgarh.

---Respondents

For Petitioner	:	Shri CJK Rao, Advocate.
For State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/05/2019

1. The grievance of the petitioner in the instant case is that inspite of fact that the petitioner is the senior most person in the department at Sahaspur Lohara, District Kabirdham, the charge of Block Resource Coordinator for Sahaspur Lohara has been taken away from the petitioner and has been ordered to be handed over to the respondent No.5.
2. The contention of the petitioner is that, there is a policy decision of the State Govt. itself which shows that the charge should always be handed over to the senior most person in the department. The petitioner is Lecturer (Panchayat) appointed way back in the year, 1998 and in the list of absorption the name of the petitioner appears at serial No. 415 and the respondent No.5 is much junior to the petitioner. Though he also is

working as a Lecturer (Panchayat), but in the list, the name of the respondent No.5 reflects at serial No.1605 i.e. much below the petitioner.

3. The petitioner further submits that there is no allegation of any misconduct against the petitioner. Neither is the petitioner being prosecuted for any misconduct in the past by virtue of which he could not have been given the charge. At the same time, the petitioner also submits that the department had rightly handed over the charge to the petitioner initially vide order dated 19.07.2018, but the same has been recalled without any reason or justification vide order dated 15.02.2019 and ordered to be handed over to the respondent No.5.
4. Given the aforesaid facts and circumstances of the case, this court is of the opinion that no fruitful purpose would be served in keeping this petition pending. Rather ends of justice would be served if this petition is disposed of directing the respondents No.2&3 to reconsider the order dated 19.07.2018 (Annexure P/2) particularly keeping in view the circular of the State dated 14.07.2014 and other circulars in respect of handing over of charge is concerned and take an appropriate decision in this regard at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder