

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5009 of 2019**

1. Bitan Mandal, S/o Bibhuti Bhushan Mandal, Aged About 53 Years Working As Head Master, And Posted At Govt. Higher Secondary School Dharmapura, District- Jagdalpur (Bastar), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya New Raipur, District- Raipur, Chhattisgarh
2. District Education Officer Jagdalpur, District- Bastar, Chhattisgarh
3. Collector (Education Department), District: Bastar, Jagdalpur, (C.G.)

---- Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer.

Shri Justice P. Sam Koshy**Order on Board****09.07.2019**

1. The Counsel for the petitioner makes an oral request seeking permission for that, the Collector also to be added as a necessary party, since the impugned order has been passed by the Collector.
2. Not opposed by the State Counsel.
3. Accordingly, let necessary amendments be carried out during the course of the day itself.
4. The grievance of the petitioner in the present Writ Petition is to the Annexure P-1 dated 20.06.2019. Vide the said order, the petitioner being shown as attached to the school at Government Higher Secondary School, Dharmapura is being sent to the Government

Middle School at Pushpal and the name of the petitioner in Annexure P-1 reflects at Sr. No. 31.

5. The contention of the petitioner is that, the petitioner is substantively stands posted at the Middle School at Ghatpadmur, Block: Jagdalpur, District: Bastar vide order of the State Government dated 10.06.2016. Subsequently, however, since the post was not lying vacant, the petitioner had been temporarily adjusted at the Government Higher Secondary School at Dharampura now showing that the petitioner to be surplus whose attachment is being sent to the Government School at Pushpal showing Pushpal as his substantive place of posting.
6. According to the petitioner, he has never been posted at Pushpal, he substantively is posted at Ghatpadmur, Block Jagdalpur, Annexure P-1 and P-2 are two orders passed by the Collector as well as the Respondent No. 01 in this regard. All other orders which have been passed were intermittent arrangement made but there is no alteration to the original order, so far as the posting of the petitioner as per Annexure P-2 dated 10.06.2016 passed by the State Government is concerned.
7. Given the aforesaid dispute as it stands, this Court is of the opinion that ends of justice would meet, if the writ petition is disposed off with a direction to the Respondent No. 3 Collector, District: Bastar to relook into the issue whether the petitioner was substantively posted at a place where it has been reflected in Annexure P-1 dated 20.06.2019 or not, if not, the order be

modified to the extent that the petitioner is sent back to his original place of posting i.e. Ghatpadmur, Block Jagdalpur, District: Bastar.

8. Let this exercise be conducted by the Respondent No. 03 within a period of 45 days, meanwhile status-quo as it exists be maintained, so far as the original place of posting of the petitioner is concerned.
9. With the aforesaid observations, the present Writ Petition stands disposed off.

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