

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7010 of 2019**

Dr. Suraj Singh Rajput S/o Shri M.S. Rajput Aged About 48 Years R/o D-501, Sun Heritage, Sun City, Jagdalpur District Jagdalpur, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Livestock Development Department, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Deputy Director Veterinary Medical Services, Bastar, Near Chandani Chowk, District Jagdalpur, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
3. Dr. Lalit Kumar Baghel District Veterinary Hospital, Jagdalpur, District Jagdalpur, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

----Respondents

For Petitioner	:	Mr. Prateek Sharma, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.
For Respondent No.3	:	Mr. Kishore Narayan, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2019**

1. The dispute raised in the present writ petition is to the order Annexure P/1 dated 22.08.2019 whereby the respondent No.3 has been posted at the same place where the petitioner is posted and the respondents are insisting for granting charge to the respondent No.3 inspite of the petitioner being a senior to the respondent No.3 and the petitioner having being substantively sent at the said place vide order Annexure P/5 dated 27.08.2019, which was duly executed by the petitioner on the same date.
2. Given the aforesaid facts, the only dispute which now needs a resolution is whether the petitioner has to be given the charge on the ground of his being senior most in the Department and also in the light of the circulars of the State Government which says that the charge

has to be always given to the senior most person in the Department or whether the respondent No.3 would be entitled for the charge by virtue of his claim of his being more qualified or competent for the said post.

3. Given the said facts, let the petitioner as well as the respondent No.3 make an appropriate representation in this regard supported with all relevant records in support of their contentions within a period of 10 days from the date of receipt of the copy of this order and the respondent No.1 in turn shall consider the aspect based on the circulars of the State Government so far as handing over the charge is concerned within a further period of 45 days from the date of receipt of the representations.
4. Taking note of the contention of the petitioner that the petitioner still continues to hold the charge on the post of Manager, let status-quo as it exists today be maintained so far as the charge is concerned till the respondent No.1 passes a fresh order in accordance with the regularization and the circulars of the State Government.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge