

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 7207 OF 2019**

Amar Singh Ghritlehre S/o - Shri Janak Ram Ghritlehre, Aged About 61 Years, R/o - Block Education Officer, Bhatapara, District Balodabazar-Bhatapara, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Nawa Raipur Atal Nagar, Raipur Chhattisgarh
2. District Education Officer, District Balodabazar-Bhatapara Chhattisgarh
3. Krishna Kumar Yadu, Lecturer, Government Higher Secondary School Polmi, District Korba, Chhattisgarh

... **Respondent(s)**

For Petitioner	:	Mr. Prateek Sharma, Advocate.
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.09.2019

1. Challenge in the present Writ Petition is to the order dated 22.08.2019 whereby the petitioner has been transferred from Bhatapara, district Balodabazar to Risda, district Balodabazar.
2. The grievance of the petitioner is that, the petitioner as of now is working as a Block Education Officer being a senior most Principal available in the department having more than 9 years of experience as a Principal. However, vide the impugned order, the respondent

No.3 is being sent as a Block Education Officer in the area where the petitioner is working. The respondent No.3 does not have minimum eligibility criteria required for being appointed or promoted on the post of Block Education Officer. The respondent No.3 is not even a Principal. He is only a Lecturer yet he has been ordered to be given the charge of Block Education Officer.

3. Prima facie, it appears to be in violation of the Rules framed by the State Govt. in this regard in the year, 2019 i.e. Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019 (in short, the Rules, 2019).
4. Given the aforesaid facts, let the respondent No.1 take necessary steps in ensuring that the post of Block Education Officer at Block Bhatapara, District Balodabazar is given to a person who has all the requisite qualification and experience as is required under the Rules, 2019 referred to hereinabove or else the department should ensure that the senior most Principal available in the Block is given the charge of Block Education Officer. Let this exercise be completed within a period of 30 days from the date of receipt of copy of this order. Till then, the effect and operation of the impugned order so far as petitioner as well as respondent No.3 is concerned, shall remain stayed.
5. The present Writ Petition, accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge