

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9473 of 2019**

- Poonam Chand Sharma S/o Late Shri Bhagirath Sharma Aged About 59 Years Head Master, Posted At Government Higher Secondary School Kaskela, Block Bhaiyathan, District Surajpur, Chhattisgarh, R/o Village And P.O. Salka, District Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary School Education Department T, Mantralaya Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Director, Directorate Of Public Education, Indrawati Bhawan, Naya Raipur, Chhattisgarh
3. District Education Officer, Surajpur, District Surajpur, Chhattisgarh
4. Shri Divyakant Pandey Lecturer (L.B.), In Charge Principal, Government Higher Secondary School Kaskela, Block Bhaiyathan, District Surajpur, Chhattisgarh
5. Collector, Surajpur, District Surajpur, Chhattisgarh

---- Respondents

For Petitioner : Ms. Meena Shastri, Advocate

For Respondents/State : Shri Alok Bakshi, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/11/2019**

1. Heard.
2. The petitioner contends that the petitioner, who was appointed in the tribal department on 23.02.1984 was promoted as UDT on 05.09.2005. Thereafter, she was promoted as Headmaster on 06.11.2009 and was posted in the Middle School, Kaskela, Block Bhaiyathan. On 05.09.2019 the Middle School, Kaskela

was upgraded as High School and as per the circular of the State, the persons who are holding the charge of Headmaster are not normally disturbed by appointment of other persons. It is contended that the respondent No.4 being appointed there as in-charge Principal, who is a junior and is not from the Tribal department and is from the outer circle and the petitioner is going to retire in May, 2020, the said appointment would be detrimental to the interest and seniority of the petitioner.

3. Perused the documents. Considering the various documents which are placed on record as also the fact that the petitioner is going to retire in May, 2020, it is directed that the petitioner is given liberty to make representation before the respondent No.2 within a period of three weeks and on such representation being filed, the same shall be decided within a period of 60 days from the date of receipt of the representation as per the existing circular and the direction of the State and further taking into the averments made in the representation. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed, if it has not been given effect to till date.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge