

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2064 of 2020**

Krishna Kumar Sahu S/o Late Biahram Sahu Aged About 60 Years, Presently Working On The Post Of In-Charge Principal At Government High School Badelakhapal Block- Katekalyan, District South Bastar Dantewada, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of, New Raipur, District Raipur, Chhattisgarh.
2. The District Education Officer District South Bastar, Dantewada, Chhattisgarh.
3. Gopal Pandey Posted As In-Charge Block Officer Katekalyan Block- Katekalyan, District South Bastar, Dantewada, Chhattisgarh.

---- Respondents

For Petitioner : Shri A.N. Pandey, Advocate

For Respondents/State : Shri Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order****10/06/2020**

Heard.

1. Learned counsel for the petitioner would submit that respondent No.3 Gopal Pandey who is much junior to the petitioner in Katekalyan Block has been appointed as In-charge Block Education Officer, Katekalyan. It is contended that as per seniority gradation list name of the petitioner is at serial No.125 and respondent No.3 is at serial No.3295. It is further contended that as per circular of the State when posting of the In-charge are made, then in such

case, seniority should be strictly adhered to. He further refers to judgement passed by this court in W.P.S. No.35/2013 Annexure P-5 and would submit that under the similar circumstance law has been laid down on 28th June, 2013 that senior most person has to be placed as In-charge till regular appointment are made. It is further stated that under these circumstances, the petitioner has made a representation Annexure P-4 dated 21/05/2019 that may be directed to be decided within stipulated time.

2. After perusal of the document and the grievance raised, further after going through the judgement passed by this court in W.P.S. No.35/2013, since the petitioner claim that he is senior to respondent No.3, it is directed that representation of the petitioner may be decided within a period of 90 days from the date of receipt of this order. Petitioner shall also be entitled to enclose copy of the judgement passed by this court in W.P.S. No.35/2013 with the relevant document i.e. the gradation list.
3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge