

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.5406 of 2011

I.S. Kawreti, S/o Late S.S. Kawreti, aged about 61 years, R/o Vijeta Complex, New Rajendra Nagar, Raipur, District Raipur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through Principal Secretary, Department of School Education, D.K.S. Bhawan, Raipur (C.G.)
 2. Additional Secretary, Department of School Education, D.K.S. Bhawan, Raipur (C.G.)
 3. L.S. Marawi, working as Additional Director, Department of School Education, Directorate of Public Instructions, Pension Bada, Raipur (C.G.)
 4. Smt. Pratima Awasthi, Additional Director, Department of School Education, presently posted at SCERT, Shanker Nagar, Raipur (C.G.)
- Respondents

For Petitioner: Mr. Sanjay Patel, Advocate.

For Respondents No.1 and 2 / State: -

Mr. Animesh Tiwari, Deputy Advocate General.

For Respondent No.4: Mr. Pawan Kesharwani, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/09/2021

1. Mr. Sanjay Patel, learned counsel appearing for the petitioner, would submit that the petitioner was promoted on the post of Additional Director, Department of School Education by order dated 11-1-2005, but, all of a sudden, on 27-8-2011, without any rhyme or reason and without affording opportunity of hearing, he has been reverted to the post of Joint Director which is in complete violation of the principles of natural justice and is liable to be set aside. However, the petitioner

retired on 30-11-2011.

2. Mr. Animesh Tiwari, learned State counsel, would support the impugned order dated 27-8-2011.
3. I have heard learned counsel for the parties and considered their rival submissions made herein-above and also went through the records with utmost circumspection.
4. True it is that the petitioner was promoted on the post of Additional Director, Department of School Education on 11-1-2005 and reverted back to the post of Joint Director on 27-8-2011 that too without giving opportunity of hearing which is in violation of the principles of natural justice. Accordingly, the impugned order to the extent of the petitioner is set aside and since the petitioner had already demitted the office on 30-11-2011, no further order is necessary.
5. The writ petition is allowed to the extent indicated herein-above. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge