

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3202 of 2021

Shankar Ram Barla S/o Late Shri Buddhuram, Aged About 60 Years
Presently Working As Block Resource Cluster Coordinator (Brcc), Block
Bagicha, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mantralaya, Atal Nagar, Nawa Raipur Chhattisgarh
2. The Mission Director, Rajiv Gandhi Shiksha Mission, Raipur Chhattisgarh
3. The Collector, Jashpur, District Jashpur Chhattisgarh
4. The District Education Officer, Jashpur, District Jashpur Chhattisgarh
5. The Block Education Officer, Bagicha, District Jashpur Chhattisgarh
6. Krishna Kumar Rathore S/o Shri Badrika Prasad Rathore, Presently
Posted As Block Resource Person (B.R.P.) At Block Resource Center,
Bagicha, District Jashpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. J. K. Saxena, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG
For Res. No.6	:	Mr. A. N. Pandey, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/07/2021

1. The challenge in the present writ petition is to the order Annexure P-1
dated 08.06.2021 whereby the respondents no.3 has posted the petitioner
on the substantive post of Head Master, Middle School, Rauni, Block –
Bagicha District Jashpur and have posted respondent no.6 as the Block
Resources Cluster Coordinator (for short 'BRCC') replacing the petitioner.
It is this order which is challenged primarily on the ground that respondent

no.6 is a contractual appointee and under the circular of the State Government dated 03.09.2015 the persons of contractual employment with the State should not be posted as BRCC.

2. Today, when the matter is taken up for admission, learned counsel for the respondent no.6 submits that the said circular has been subsequently modified by the respondents vide circular dated 15.03.2017 and whereby it has been held that all the regular teaching staffs have to sent to their substantive place of posting and post of BRCC can be filled up by the contractual Block Resource persons available. It has been further intimated by the learned counsel for the respondent no.6 that the order of the State dated 08.06.2021 has already been complied with in as much as respondent no.6 has given his joining and the petitioner has also handed over the charge to the respondent no.6.
3. Given the aforesaid factual matrix of the case and the submissions which has been submitted by the counsel for the respondent no.6, this Court is of the opinion that the only recourse now left for the petitioner for ventilating his grievance is to approach the respondents no.3 & 4 to take appropriate decision on the grievance of the petitioner as he would be raising in his representation, if any.
4. Subject to the petitioner making a representation in this regard, the respondent no.3 & 4 shall take appropriate decision on the same in accordance with the rules governing the field preferably within a period of 45 days from the date of receipt of representation.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge