

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3318 of 2021

1. Hemsagar Nayak S/o Bharat Lal Nayak, Aged About 43 Years R/o. Village Dumerpali, Police Station Rajadevari, Tahsil Kasdol, District Balodabazar - Bhatapara Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh, Through - The Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Directorate of Public Instructions, Through Its Director, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Shashank Thakur, Advocate.
For Respondents	:	Shri Amrito Das, Addl. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.07.2021

1. The petitioner seems to be aggrieved by the posting which the petitioner has been given i.e. at the Bilaspur Division in T Cadre on the post of Teacher (Mathematics).
2. Learned counsel for the petitioner submits that at the first instance when he was called for counseling preference were being sought for and the petitioner had given his first preference at Raipur, second for Durg and third for Bilaspur Education Division and the petitioner has been given the 8th option that the petitioner had exercised so far as preference is concerned. According to the petitioner the second round of counseling is still going on and the persons who are less meritorious than the petitioner would now have an opportunity of being posted either at Raipur or Durg division which was otherwise the first and second preference of the petitioner which he did not get.

3. This court on an earlier occasion in WPS No.2208 of 2021 has already vide its order dated 05.04.2021 held that the petitioner as such cannot claim as a matter of right for being considered for posting at a particular place. That the option sought for was only the choice of preference so far as posting is concerned and as regards the posting, it is purely within the power and domain of the authorities concerned. This court in the said writ petition has further observed that if at all if the petitioner is not happy with the place of posting or has some personal inconvenience as regards the place of posting, the only option that the petitioner has is to approach the authorities by way of making a suitable representation for an appropriate modification of change of place of posting.
4. Given the said view of this court in the said writ petition, the present writ petition also stands disposed of in similar terms leaving open the liberty to the petitioner to approach the respondent authorities by making a suitable representation and which the respondent authorities may consider in accordance with rules, regulations and policy governing the filed.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge