

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3844 of 2021

1. Duryodhan Prasad Gupta S/o Rampreet Pal Aged About 56 Years Presently Working On The Post Of Headmaster/ Circle In- Charge Of Circle Resource Centre- Hariharpur, Block- Pratappur, District- Surajpur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through- The Secretary, Department of School Education, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh
2. Director Directorate Of Public Education, Indrawati Bhawan, New Raipur, District- Raipur, Chhattisgarh.
3. Managing Director State Project Office Holistic Education, 2nd Floor Chhattisgarh Board of Secondary Education, Pension Bada, Raipur, District- Raipur, Chhattisgarh
4. Collector/ District Mission Coordinator Holistic Education Surajpur, District- Surajpur, Chhattisgarh
5. The District Education Officer Surajpur, District- Surajpur, Chhattisgarh.
6. Block Education Officer Pratappur, District- Surajpur, Chhattisgarh.
7. Amjad Mujaphar Jamil Presently Working On The Post Of Lecturer (LB) At Govt. Higher Secondary School, Hariharpur, Block- Pratappur, District- Surajpur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri AN Pandey, Advocate.
For State	:	Shri Amit Buxy, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.07.2021

1. The grievance of Petitioner in the present Writ Petition is Annexure P- 1, dated 12.04.2021, whereby the Respondent No.7 has been posted as Circle In-charge of Circle Resource Centre, Hariharpur, Block Pratappur, District Surajpur.
2. Learned Counsel for Petitioner submits that the Petitioner is much senior to Respondent No.7 and in the past the Petitioner was made as In-charge in the same Circle Resource Center in the year, 1995. However, superseding the said order, now Annexure P-1 has been issued appointing Respondent No.7, a junior person, on the post of Circle In-charge of Circle

Resource Centre, Hariharpur, which is contrary to the Circulars issued by the State Government on 4.8.2011 and 29.1.2020 which still hold the field.

3. Given the nature of dispute that the Petitioner has, let Petitioner make a detailed representation/objection to Respondents 2 to 4 within 10 days from today and the Respondents 2 to 4 are directed to consider the said representation/objection within a further period of 45 days after due verification of seniority between petitioner and respondent no.7 and also taking into consideration the aforementioned two Circulars of the State Government as regards granting of charge to a senior most person of the Department at the said Centre.
4. Learned Counsel for Petitioner at this juncture submits that till date the Petitioner is discharging his duties as Circle In-charge of Circle Resource Centre, Hariharpur.
5. Given the said fact, let status quo as it exists today be maintained till the representation/objection of Petitioner is decided by Respondent authorities.
6. Writ Petition accordingly stands disposed of with the aforesaid direction/observation.

Sd/-
(P. Sam Koshy)
Judge