

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4237 of 2021**

Heeralal Kushwaha S/o Shri Asharphi Lal Kushwaha Aged About 52 Years
Presently Working On The Post Of Lecture (T) Cadre At Govt. High School
Maheshpur Block Batouli, District Surguja Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Schedule Cast And Schedule Tribal Development Mahanadi Bhawan
New Raipur, District Raipur Chhattisgarh.
2. The Secretary Department Of School Education Mahanadi Bhawan
New Raipur, District Raipur Chhattisgarh.
3. The Commissioner Surguja Division Ambikapur District Surguja
Chhattisgarh.
4. Divisional Joint Director Public Education Surguja Division Ambikapur
Chhattisgarh.
5. The Collector Surguja Ambikapur District Surguja Chhattisgarh.
6. District Education Officer Ambikapur District Surguja Chhattisgarh.
7. Sharad Chand Meshpal Presently Working On The Post Of Block
Education Officer Batouli District Surguja Chhattisgarh.

----**Respondents**

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/08/2021

1. The grievance of the petitioner seems to be the order Annexure P/1
dated 03.02.2021 whereby the respondent No.7 has been ordered to
be posted as a Block Education Officer at Batouli, District Surguja.
The post of Block Education Officer, Batouli was with the petitioner as
an Incharge since 13.01.2020.
2. The substantial contention of the petitioner to the impugned order and
also posting of the respondent No.7 in place of the petitioner is on the

ground that the respondent No.7 is a person, who belongs to the E-cadre and the petitioner is a person who is an employee otherwise under the T-cadre. The post of Block Education Officer at Batouli is one which is reserved for T-cadre. Therefore, according to the petitioner the respondent No.7 could not have been posted there.

3. The petitioner already has made a representation to the respondents No.3 & 4 highlighting this aspect. The counsel for the petitioner as of now prays that the writ petition be disposed of directing the respondents No.3 & 4 to take an appropriate decision in accordance with law at the earliest.
4. The aforesaid request of the petitioner is not opposed by the State counsel.
5. Accordingly, the writ petition at this juncture stands disposed of directing the respondents No.3 & 4 to consider and decide the representation of the petitioner verifying the fact whether a person from the E-cadre can be posted against a post reserved for T-cadre. Let an appropriate decision be taken at the earliest preferably within a period of 45 days from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge