

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4006 of 2021**

B.S. Banjare Shri C. L. Banjare Aged About 56 Years Block Education Officer, Dabhara, Janjgir Champa District Janjgir Champa Chhattisgarh
--- Petitioner

Versus

1. State of Chhattisgarh through the Secretary to the Govt. of Chhattisgarh, Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur P. S. Rakhi, District Raipur Chhattisgarh
2. Directorate of Public Instruction through the Director, Directorate of Public Instruction Sector-19, Kotara Bhantha Naya Raipur Chhattisgarh
3. District Education Officer Janjgir Champa District Janjgir Champa Chhattisgarh
4. Shri B. L. Khare Principal Govt. Girls Higher Secondary, School, Hasoud, Education District Sakti, District Janjgir Champa Chhattisgarh
--- Respondents

For the applicant	: Mr. Anurag Dayal Shrivastava, Advocate.
For the State	: Ms. Akanksha Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.08.2021

1. Learned counsel for the petitioner submits that the petitioner was transferred and posted as Block Education Officer, Dabra by order dated 15.07.2020. However, to displace the petitioner, Respondent no.4 by order dated 27.07.2021 has been transferred and posted as Block Education Officer at Dabra. He contends that since the petitioner is holding the charge of Block Education Officer and was posted at Dabra a year before, no such post exists there, therefore, the petitioner cannot be forced to give charge to respondent no.4.
2. Having perused the documents, it shows that the petitioner was

posted as Block Education Officer at Dabra on 15.07.2020 and within a year, respondent no.4 has been transferred as BEO to Dabra wherein the petitioner is already working.

3. Considering the fact that the petitioner is already working as BEO at Dabra, he cannot be forced to hand over the charge to respondent no.4 B.L. Khare.
4. Under the circumstances, the petitioner is given liberty to make a representation to respondent no.1 within a period of 3 weeks. On such a representation being filed, the same would be considered and decided within a reasonable time. Till then the petitioner shall not be forced to hand over the charge of BEO Dabra to respondent no.4 and the petitioner would be allowed to continue in such post till the said representation is decided.
5. With such observation, this writ petition stands finally disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**