

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4255 of 2021**

Lalji Dwivedi S/o Shri H.M. Dwivedi Aged About 57 Years Block Education Officer, Block- Chhuria, District- Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary To The Govt. Of Chhattisgarh, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, PS- Rakhi, 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 Rajnandgaon, District- Chhattisgarh.
4. Shri Krishna Ram Kowachi Block Education Officer, Bagbahara, Mahasamund, District- Mahasamund, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Anurag Dayal Shrivastava, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

16/08/2021

1. The petitioner through the present writ petition seems to be aggrieved by Annexure P/1, whereby the respondent No.4 has been ordered to be posted as the Block Education Officer at Chhuria, District Rajnandgaon.
2. The grievance of the petitioner is that vide Annexure P/2 the petitioner was posted as the Block Education Officer vide order dated 04.10.2018 and since then the petitioner has been uninterruptedly working as the Block Education Officer. It is also the contention of the petitioner that now when Annexure P/1 has been issued, there is no transfer to the petitioner and as such the private respondent would

find it difficult in getting the order implemented in as much as since the petitioner has not been transferred out of Chhuria as the Block Education Officer, he continues to discharge his duties on the substantive post of Block Education Officer.

3. Learned State counsel at this juncture submits that since Annexure P/1 does not reflect the name of the petitioner, let the respondents-State Authorities be directed to take an appropriate decision in respect of the status of the petitioner as the Block Education Officer of block Chhuria in District Rajnandgaon.
4. Given the said submission by the counsel for the parties, the writ petition at this juncture stands disposed of directing the respondents No.1 & 2 to take necessary steps in the light of the fact that there is no order of transfer for the petitioner and the petitioner substantially continues to discharge the duties of a Block Education Officer by virtue of the order passed by the respondents themselves as early as on 04.10.2018.
5. Let an appropriate decision in this regard be taken within a period of 6 weeks from the date of receipt of the copy of this order. Meanwhile, as an interim measure the respondents shall not in any manner use any coercive steps for disturbing the status of the petitioner that of the Block Education Officer.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge