

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4488 of 2021

Anand Kumar Toppo S/o Late Shri Yakub Toppo Aged About 52 Years
Presently Working On The Post Of Headmaster / Circle In Charge Of
Circle Resource Center Khadganwakala, Block Pratappur, District Surajpur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Bhawan, New Raipur , District Raipur Chhattisgarh
2. The Director Directorate Of Public Education Indrawati Bhawan New Raipur , District Raipur Chhattisgarh.
3. The Managing Director State Project Officer Holistic Education 2 Floor Chhattisgarh Board Of Secondary Education Pension Bada Raipur, District Raipur Chhattisgarh
4. The 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. Shri Rajesh Mishra Presently Working On The Post Of Lecturer T. (L.B.) At Govt. High School Khadgawnakala, Block Pratapur, District Surajpur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ram Vifal Ram Rajwade, Advocate.
For State	:	Mr. Ayaz Naved, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31/08/2021

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, Khadganwakala, 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, 2014. 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, Khadganwakala, 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, Khadganwakala.
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

Rohit