

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4809 of 2021

Muktesh Ojha S/o N.K. Ojha Aged About 57 Years Presently Working On The Post Of Headmaster At Govt. Higher Secondary School Sontar Block Pratappur District Surajpur / Circle Incharge Of Circle Resource Center Semarkala 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. 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. William Toppo Presently Working As Incharge Of Principal At Govt. Higher Secondary School Silouta Block Pratappur District Surajpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pravin Kumar Tulsyan, Advocate.
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/09/2021

1. Grievance of Petitioner in the present Writ Petition is the Annexure P-1, dated 04.02.2021, whereby the Respondent No.7 has been posted as Circle In-charge of Circle Resource Centre, Semarkala, 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, Semarkala vide order dated 11.05.2012. 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, Semarkala, 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 No. 2 to 4 within 10 days from today and the Respondents No. 2 to 4 are directed to consider the said representation/objection within a further period of 45 days 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, Semarkala.
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