

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5296 of 2021**

Anand Kumar Dubey S/o Late Diwakar Nath Dubey Aged About 57 Years
Presently Working On The Post Of Headmaster/circle-In-Charge Of Circle
Resource Center Middle School Raisara, Block Odgi, District Surajpur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa 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, Bada Raipur District Raipur Chhattisgarh
4. The Collector Cum District Mission Coordinator Holistic Education Surajpur District Surajpur Chhattisgarh
5. District Education Officer Surajpur District Surajpur Chhattisgarh
6. Block Education Officer Odgi, District Surajpur Chhattisgarh
7. Shri Mayaram Sonant Presently Working As Principal Incharge, High School Raisara, Block Odgi, District Surajpur Chhattisgarh

----Respondents

For Petitioner	:	Mr. Anup Majumdar, Advocate on behalf of Mr. Gyan Prakash Shukla, Advocate
For State	:	Mr. Amrito Das, Additional A.G.

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

27/09/2021

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, High School, Raisara, Block Odgi, 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, Middle School Raisara, Block Odgi in September, 2013. 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, Raisara, which is contrary to the Circulars issued by the State Government on 04.08.2011 and 29.01.2020 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, Raisara.

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

Ved