



35

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP(S) NO. 5514 सेन 2008

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<u>PETITIONER:</u>	R.L. Mishra, aged about 40 years, S/o Shri Tilakdhari Mishra, presently working as Vice Principal Government Girls Higher Secondary School, Ambikapur, District Surguja (CG)
		-Versus-
	<u>RESPONDENTS:</u>	1. State of Chhattisgarh, Through: The Secretary, Department of School Education, D.K.S. Bhawan, Mantralaya Raipur (CG)
		2. Deputy Secretary, Department of School Education, D.K.S. Bhawan, Mantralaya, Raipur, (CG)
		3. The District Education Officer, District Surguja (C.G.)
		4. The Principal, Government Girls Higher Secondary School, Ambikapur, District Surguja (CG)
		5. Smt. K. Ghaguli, working as Lecturer, Government Girls Higher Secondary School, Ambikapur, District Surguja (CG)
	(Writ Petition under Article 226/227 of the Constitution of India)	
	<u>Single Bench: Hon'ble Shri Dhirendra Mishra, J.</u>	
	<u>30-9-2008:-</u>	
	Shri Vinay Pandey, counsel for the petitioner.	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

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	<p>Shri Yashwant Singh Thakur, Deputy Advocate General for the State/ respondents No.1 to 4.</p> <p>Heard.</p> <p>The State Government vide order dated 16-6-2008 of Annexure-P/2 posted the petitioner as Vice Principal of Government Girls Higher Secondary School, Ambikapur where he was earlier working as Lecturer. However, subsequently, vide order dated 7-7-2008, the aforesaid order was cancelled and the petitioner was again posted as lecturer in the same school and in his place respondent No.5 Smt. K. Ganguli has been posted as Vice Principal. The order of Annexure-P/1 was impugned by the petitioner in W.P.(S) No.3971/2008 and the same was disposed of by this Court vide order dated 24<sup>th</sup> July, 2008 on the submission of learned counsel for the State that in case the petitioner makes representation against the order of Annexure-P/1, same shall be decided by the concerned authority in accordance with law on its own merit within a period of 2 weeks. In the said order, it was also undertaken by counsel for the State that no coercive steps shall be taken till the disposal of the representation. Subsequently, representation has been rejected vide order dated 2-9-2008 of Annexure-P/6 by the State Government.</p> <p>Learned counsel for the petitioner submitted that representation has been mechanically dismissed without assigning any reason.</p> <p>After hearing learned counsel for the parties, taking into consideration that posting of the petitioner as Vice Principal in the same school has been subsequently cancelled and he has been posted as</p>	

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Barve	<p>lecturer in the same school, respondent No.5 has been posted as Vice Principal in his place and there is no ground in the writ petition that while posting respondent No.5 as Vice Principal seniority of the petitioner has been overlooked, the petition is without any substance and the same is accordingly dismissed at the admission stage.</p>	<p>Sd/- <b>Dhirendra Mishra</b> Judge</p>