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WA-2007-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 29<sup>th</sup> OF AUGUST, 2025

WRIT APPEAL No. 2007 of 2025

*DR. SANTOSH JATAV*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

.....  
Appearance:

*Shri Akash Choudhury - Advocate for appellant.*

*Shri B.D.Singh - Deputy Advocate General for respondents/State.*

*Shri Sanjay K Agrawal, Senior Advocate with Ms.Sharon Agrawal -  
Advocate for respondent no.4.*  
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ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

1. Appellant impugns order dated 16.06.2025, whereby the writ petition filed by the appellant has been dismissed. Appellant had filed the subject writ petition challenging the order dated 28.05.2025, whereby the petitioner has been shifted from the post of In-charge Additional Director, Higher Education, Jabalpur Division, Jabalpur to the post of Principal, Government Science College, Jabalpur and respondent no.4 was posted as In-charge Additional Director, Higher Education, Jabalpur Division, Jabalpur. As per the appellant,



respondent no.4 is junior to appellant.

2. Learned Single Judge has noticed in the impugned order that both the posts of Additional Director, Higher Education and Principal, P.G.College are equal posts in terms of the MP. Educational Service(Collegiate Branch) Recruitment Rules, 1990. Learned Single Judge has held that since both the posts are interchangeable and one is not a superior or supervisory post to the other, the contention of the petitioner that he is being posted to work under his junior, is not substantive accordingly the writ petition was dismissed.
3. We may note that both appellant and respondent no.4 in their substantive capacity are holding the lower post of Principal Degree College. Petitioner was posted as In-charge Additional Director, Higher Education in the year 2023 and now has been posted as In-charge Principal P.G.College and respondent no.4 has been posted as In-charge Additional Director, Higher Education. Both the posts find mention in Entry 2 of Schedule 1 of the MP. Educational Service(Collegiate Branch) Recruitment Rules, 1990 and the number of posts sanctioned are 68. There is no distinction between the number of posts sanctioned as Principal, Degree College and Additional Director, Higher Education. Since both the posts are mentioned in one common entry, it is evident that both the posts are equal in terms of their seniority.
4. We do not find that learned Single Judge has committed any error in holding that the post of Additional Director is neither superior nor a supervisory post to the post of Principal P.G.College. It is an



admitted position that Additional Director merely coordinates between various colleges in the Division, though the nature of function and duties performed may differ.

5. We are in agreement with the view taken by learned Single Judge that there is no merit in the contention of the appellant that appellant is being posted and made to work under her junior. Since, both the posts are equal posts there is clearly no merit in the contention of the appellant. Appellant cannot accordingly be permitted to challenge her posting. Petitioner was holding the substantive post of Principal Degree College and were merely posted as In-charge Additional Director, Higher Education and has already spend nearly 02 years on the said post and now has been posted as Principal, Government Science College, Jabalpur. We may further note that the appellant has been posted in the same city and as such there is no disturbance or change of headquarter in so far as appellant is concerned. We find no merit in the appeal. Appeal is accordingly dismissed.

(SANJEEV SACHDEVA)  
CHIEF JUSTICE

VPA

(VINAY SARAF)  
JUDGE