

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1606 of 2015**

- Maniram Yadav S/o Shri Shiv Narayan Yadav Aged About 49 Years Occupation Service, Posted As Block Education Officer Lundra Block Lundra Tehsil & P.S. Lundra Revenue & Civil District Surguja Chhattisgarh R/o House Of Satyanarayan Gupta In Fornt Of Carmel School, Ring Road Namnakala Post & Tehsil Ambikapur P.S. City Kotwali, Revenue & Civil District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, through Secretary, Tribal Welfare Department Mahandi Bhawan, Naya Raipur Revenue & Civil District Raipur Chhattisgarh
2. Commissioner Tribal Welfare Raipur, Revenue & Civil District Raipur Chhattisgarh
3. Assistant Commissioner Tribal Welfare Surguja Revenue & Civil District Surguja Chhattisgarh
4. Collector Surguja, Ambikapur, District, Surguja Chhattisgarh
5. Hannan Qureshi Presently Posted As Block Education Officer Lundra Post & P.S. Lundra Tehsil Lundra, Revenue & Civil District Surguja Chhattisgarh
6. Commissioner Surguja Division Ambikapur, Revenue & Civil District Surguja Chhattisgarh

---- Respondents

For Petitioner : Shri Sarfaraj Khan, Advocate.

For Respondents/State : Shri Y.S. Thakur, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/12/2015**

Heard.

- (1) Learned counsel appearing for the petitioner would submit that the petitioner is working on his substantive post of Lecturer, Tribal &

Welfare Department but he has been attached to the Office of Assistant Commissioner, Tribal and Welfare Department, which is impermissible in law in view of Circular issued by State Government on 04.06.2001 and, therefore, he may be allowed to file representation before respondent No. 4- Collector, Sarguja and the same may be directed to be decided expeditiously in light of Circular dated 4.6.2001 issued by the State Government. To which, counsel for the State has no objection.

(2) Prayer appears to be fair & reasonable.

(3) Accordingly, the writ petition stands finally disposed of with the observations that if the petitioner prefers representation to the Collector, Sarguja within two weeks from today, the respondent No. 4- Collector, Sarguja shall decide the same in light of Circular dated 4.6.2001 issued by the State Government in accordance with law expeditiously preferably within a period of one month from the date of receipt of representation & production of the order of this Court.

(4) Interim relief granted on 4.5.2015 shall continue for the period of six weeks.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-