

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3057 of 2015**

- Nand Kishore Tiwari S/o Shiv Kumar Tiwari Aged About 49 Years Pradhan Pathak, Middle School, R/o Gandhi Nagar, Ambikapur, P.S. Gandhi Nagar, Ambikapur, District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhawan, Mantralaya Raipur Chhattisgarh
2. District Education Officer, Surajpur, District Surajpur, Chhattisgarh
3. Collector / Assist. Commissioner (Tribal Development) Surajpur, District Surajpur Chhattisgarh
4. The Commissioner Surguja, Surguja Division Ambikapur, Distt. Surguja Chhattisgarh
5. Block Education Officer, Surajpur, Distt. Surajpur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Bhupendra Singh, Advocate
For Respondent-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****21/08/2015**

1. Learned counsel for the petitioner would submit that by order dated 6.01.2015, the petitioner was suspended by the Collector-cum-District Election Officer (Local Elections) Surajpur, however, order of suspension was revoked on 8-4-2015 but the petitioner was posted at Middle School, Bojha, block Pratppur, whereas at the time of suspension, he was posted as Head Master, Middle School, Judwani, block Surajpur.

2. Referring to the judgment rendered by this Court in the matter of **Prakash Narayan Tiwari Vs. The State of Chhattisgarh and Others**, he would contend that the petitioner could not have been posted at a place different than the place where he was posted at the time of issuance of order of suspension.
3. Shri Thakur, learned Government Advocate would submit that it appears, the petitioner has already joined at the place where he has been posted while revoking his suspension order, therefore, the writ petition is belated and after thought.
4. Be that as it may, in view of the law laid down by this Court in the matter of *Prakash Narayan Tiwari (supra)*, the writ petition is disposed of with a direction that in the event the petitioner prefers a representation before respondent No.3 Collector, Surajpur raising his grievance on the issue within a period of 15 days from today, the said respondent shall consider and decide the same keeping in view the law laid down by this Court in the matter of *Prakash Narayan Tiwari (supra)* and take appropriate decision in the matter within a further period of 8 weeks from the date of submission of representation.

Sd/-

Judge

Prashant Kumar Mishra

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