

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.111 of 2016

Ghasiram Mandavi, S/o Lekhnuram Mandavi, aged about 57 years, Teacher, Government Pre Middle School, Rengakathera Block Chowki Rajnandgaon, Distt. Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Distt. Raipur (C.G.)
2. Collector, Rajnandgaon, Distt. Rajnandgaon (C.G.)
3. District Education Officer, Rajnandgaon, Distt. Rajnandgaon (C.G.)

---- Respondents

For Petitioner: Mr. Anup Majumdar, Advocate.

For State/Respondents: -

Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/01/2016

1. This Court by order dated 15-12-2015 directed the Collector to consider the representation of the petitioner and pass appropriate order whereas, the application of the petitioner has simply been rejected by the District Education Officer and the Collector has approved the same. Such a course is impermissible in law. When the

Court has directed the Collector to pass order, the Collector ought to have passed order and approval of a proposed order made by the District Education Officer is not the correct procedure to pass an order.

2. Accordingly, the order dated 30-12-2015 (Annexure P-1) is set aside and the Collector, Rajnandgaon is directed to consider the representation of the petitioner and pass order in terms of order dated 15-12-2015 passed by this Court in W.P.(S)No.4832/2015.
3. The effect and operation of the transfer order dated 21-9-2015, qua the petitioner, shall remain stayed for a period of six weeks.
4. The petition stands disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge