

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4515 of 2017

1. Tulsi Ram Sahu S/o Shri Lochan Ram Sahu, Aged About 40 Years R/o Yash Sadan, Near R.K. Zim Bambleshwari Colony, Durg, District Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And Calamity Management Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Collector, Rajnandgaon, District- Rajnandgaon, Chhattisgarh
3. Sub Divisional Officer, Rajnandgaon, District- Rajnandgaon, Chhattisgarh
4. The Tahsildar, Rajnandgaon, District- Rajnandgaon, Chhattisgarh

---- Respondent

For Petitioner

Shri Somkant Verma, Advocate

For Respondent/State

Shri Rajendra Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/10/2017

1. Learned counsel appearing for the petitioner would submit that the petitioner has been transferred from one Patwari Halka to another by the Sub Divisional Officer, Rajnandgaon, who has no jurisdiction to pass such order.

2. On the other hand, learned counsel appearing for the State would submit that the Sub Divisional Officer being the appointing authority of Patwari is entitled to pass such order.
3. Considering the entire facts situation of the case, the writ petition is disposed of with a direction that the petitioner may prefer a representation before the Collector, Rajnandgaon, within two weeks from today and thereafter, the Collector shall consider and decide the same, in accordance with law and on its own merits.
4. For a period of six weeks, the status quo, with respect to placement of the petitioner, as it exists today, shall be maintained.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge
Prashant Kumar Mishra

Gowri