

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No.627 of 2017**

Kamlesh Kumar Sen S/o Late Shri Heeralal Sen, Aged About 44 Years  
 Assistant Teacher (Panchayat) At Govt. Primary School, Madisarai,  
 (Superintendent) Pre- Metric Tribal Boys Hostel, Madisarai, P. S. &  
 Block Bharatpur, Distt. Korea (Chhattisgarh) ----- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Its Secretary, Panchayat Department, Mantralay, Mahanadi Bhawan, Naya Raipur, Distt. Raipur (Chhattisgarh)
2. Collector, Baikunthpur, District Korba (Chhattisgarh)
3. Chief Executive Officer, District Panchayat, Korba, District Korba (Chhattisgarh)
4. District Education Officer, Baikunthpur, District Korba (Chhattisgarh)
5. District Mission Coordinator, Rajiv Gandhi Shiksha Mission, Baikunthpur, District Korba (Chhattisgarh)
6. Assistant Commissioner, Tribal Welfare, District Korea (Chhattisgarh).
7. Chief Executive Officer, Janpad Panchayat, Bharatpur, District Korba (Chhattisgarh)
8. Block Education Officer, Block Bharatpur, Distt. Korea (Chhattisgarh) ----- **Respondents**

For Petitioner : Mr. A.S. Rajput, Advocate.  
 For State : Mr. Dhiraj Wankhede, Govt. Advocate  
 For Respondent No.5 : Mr. B.L. Sahu, Advocate appears on  
 behalf of Mr. A.S. Kachhawaha, Advocate

**Hon'ble Shri Justice Sanjay K. Agrawal**  
**Order On Board**

**07/02/2017****(1)** Heard.

**(2)** Learned counsel appearing for the petitioner submits that  
 the impugned order dated 17.01.2017 passed by respondent

No.7 i.e. Chief Executive Officer, Janpad Panchayat, Bharatpur, Korea is appealable before appellate authority i.e. respondent No.3-Chief Executive Officer, District Panchayat, Korea and therefore, he may be permitted to prefer an appeal before the said authority within a period of two weeks from today.

(3) Prayer appears to be fair and reasonable.

(4) The petitioner is permitted to prefer an appeal before respondent No.3-Chief Executive Officer, District Panchayat, Korea. If such appeal is filed by the petitioner within a period of two weeks from today and, in turn, the said authority shall consider and decide the same in accordance with law and on its own merit preferably within a period of forty-five days from the date of receipt of appeal of the petitioner along with copy of this order.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the concerned authority may decide the appeal of the petitioner in accordance with law.

(6) With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

**(Sanjay K. Agrawal)**  
Judge

L/-