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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1515 of 2017

- Mahesh Kumar Bhuarya, S/o Late Shri Ramadhar Bhuarya, Aged About 56 Years, R/o Purana Tikrapara, Ram Mandir Road, Ward No.19, Tahsil And Police Station Khairagarh, District Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh
2. The Director, Public Education Directorate, Raipur, District Raipur, Chhattisgarh
3. District Education Officer, Rajnandgaon, District- Rajnandgaon, Chhattisgarh
4. Block Education Officer, Khairagarh/Churiya, District- Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	Shri Prateek Sharma, Advocate
For Respondent-State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

29/03/2017

1. Petitioner would assail the order of suspension passed under Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 on the ground that he has been suspended not for any financial or other irregularity but only for not immediately relieving a lecturer who was transferred by the State Government to a different school.

2. Considering the entire facts situation of the case, for the fact that the impugned order is appealable, this Court is not inclined to entertain this writ petition, however, at the same time, considering the nature of imputation against the petitioner, ends of justice would be served if the petitioner is relegated to the Appellate Authority, who shall consider the entire issue and decide the petitioner's appeal on its own merits. The petitioner shall prefer appeal within a period of one month and the Appellate Authority shall decide the same at the earliest, preferably within a period of 6 months from the date of submission of appeal.
3. Till the Appellate Authority considers and decides the petitioner's appeal, the effect and operation of the impugned order shall remain in abeyance.
4. Accordingly, the writ petition is disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala