

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2358 of 2017**

- D.L. Divyakar S/o Late Shri Latiram Divyakar Aged About 59 Years, Lecturer (Hindi), Govt. Higher Secondary School, Umreli, Block Kartala, District Korba, Chhattisgarh, R/o Village Khaira(A), Block Kasdol, Distt. Baloda Bazar- Bhatapara, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Principal, Govt. Higher Secondary School, Umreli, District Korba, Chhattisgarh.
3. District Education Officer, Korba, Distt. Korba, Chhattisgarh.
4. Sub Divisional Officer(R), Korba District Korba, Chhattisgarh.
5. Collector, Korba, District Korba, Chhattisgarh.
6. Om Mahalaxmi Swa-Sahayata Samuh, Umreli, Block Kartala, District Korba, Chhattisgarh.
7. Block Education Officer, Kartala, Distt. Korba, Chhattisgarh.

---- Respondent

For Petitioner	Mr. H.B. Agarwal, Senior Advocate with Mr. Shashi Kumar Khuswaha, Advocate
For Respondent /State	Mr. Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****19/5/2017**

1. Heard.

2. Referring to the order passed by this Court in the matter of Vyas Narayan Tiwari Vs. State of Chhattisgarh and others (WPS No.4174 of 2016, decided on 16.3.2017), it is argued that the petitioner, Senior Lecturer (Hindi) {a Class-II Gazetted Officer}, can be transferred only by the State Government and the Collector has no authority or jurisdiction to pass the impugned order of transfer.
3. Considering the entire facts' situation of the case, the writ petition is disposed of with direction that in the event, the petitioner prefers a representation before the State Government within 02 weeks from today, the State Government shall decide the representation, on its own merits, at the earliest, preferably within a period of 10 weeks thereafter. For a period of 03 months or till the representation is decided, whichever is earlier, the petitioner shall be allowed to work at his present place of posting. Sd/-

Judge

(Prashant Kumar Mishra)