

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 10915 of 2019**

Vaishali Patel, W/o. Vijay Kumar Patel, Aged About 33 Years, Profession- Patwari, P.H.No.19, Head Office Village Devri, Sub Tahsil Seepat, Tahsil Masturi, District Bilaspur, Chhattisgarh Permanent Address C/o. Shri Permishwar Patel, Village Khaira, (Jairamnagar), Tahsil And Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhavan, Mantralaya, Police Station And Post Rakhi, Nawa Raipur, Atal Nagar, District Raipur, Chhattisgarh.
2. Collector, District Bilaspur, Chhattisgarh.
3. Sub Divisional Officer (Revenue) Masturi, District Bilaspur, Chhattisgarh.
4. Tehsildar, Masturi, District Bilaspur, Chhattisgarh.
5. Naib Tahsildar, Sub Tahsil Seepat, Tahsil Masturi, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Santosh Kumar Pandey, Advocate
For State/Respondents	:	Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****07.01.2020**

Heard

1. Learned counsel for the petitioner would submit that the petitioner has been transferred from Patwari Halka No.19, Devri to Patwari Halka No.13 Khamharia. However, the said order having not been served, subsequently the proceeding has been drawn against the petitioner for non-compliance of the order passed by the S.D.O. It is contended that the S.D.O. has no right under Section 104 of Land Revenue Code and the Collector has the authority who may pass such order. It is further submitted that the petitioner has been suspended by the S.D.O. and the S.D.O. do not have any jurisdiction to pass such order. Learned counsel submits that the petitioner has filed a detailed representation to the S.D.O., therefore, he may be directed to decide the same.

2. Without going into the merit of the case, since limited prayer has been made to decide the representation, the Respondent No.3/ S.D.O. (Revenue) is directed to decide the representation of the petitioner within a further period of 45 days from the date of receipt of a copy of this order. The petitioner shall also be free to avail statutory appellate remedy, if so advised.
3. With such observation, the petition stands finally disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Ashok