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HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 1630 OF 2021**

- Arjun Ram Dewangan, S/o Late Shivdayal Dewangan, aged about 58 years, presently posted as Block Education Officer, at Ambagarh Chouki, District Rajnandgaon, R/o Ward No.02, Ambagarh Chouki, District Rajnandgaon (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of School Education, Mantralaya, Atal Nagar Raipur District Raipur (CG)
2. Director, Directorate of Public Instruction, Block-II, 2nd Floor, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur (CG)
3. Collector, Rajnandgaon, District Rajnandgaon (CG)
4. District Education Officer, District Rajnandgaon (CG)
5. Sanjay Kumar Jauhari, posted as Principal, Government Higher Secondary School, Kaudikasa, Block Ambagarh Chouki, District Rajnandgaon (CG)

... Respondents

For Petitioner	:	Mr. Faisal Akhtar, Advocate.
For Respondents/State	:	Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/04/2021**

1. Grievance of Petitioner in the present Writ Petition seems to be the shifting of place of posting of Petitioner from the post of Block Education Officer, Ambagarh Chowki, Rajnandgaon to the Government High School, Goplinchuwa Chowki, Rajnandgaon.
2. Challenge to the impugned Order dated 22.2.2021, Annexure P-1, is on the competency of the District Education Officer.
3. Contention of learned Counsel for Petitioner is that the Petitioner has been given the charge of Block Education Officer, Ambagarh Chowki Block vide order dated 22.7.2012 passed by the State Government and therefore the District Education Officer would not be competent enough to change the place of posting of Petitioner and it could have only been done by the State Government.
4. Perusal of record would show that the Petitioner has not made any representation/objection to the higher authorities in respect of the impugned Order, Annexure P-1.

5. Given the said fact, the present Writ Petition at this juncture is being disposed of directing the Petitioner to make a representation to Respondents No. 1 & 2 within a period of 15 days from today and the Respondents No. 1 & 2 in turn shall consider the representation of Petitioner on its own merits, in accordance with law, particularly considering the competency of the District Education Officer in the issuance of the impugned Order dated 22.2.2021, Annexure P-1.
6. Let appropriate decision in this regard be taken by Respondents No. 1 & 2 within a period of 60 days from the date of receipt of copy of representation of Petitioner.
7. Writ Petition accordingly stands disposed of with aforesaid observations.

sharad

Sd/-
(P. Sam Koshy)
JUDGE