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WP-29357-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE MANINDER S. BHATTI

ON THE 4th OF AUGUST, 2025WRIT PETITION No. 29357 of 2025*KAMLESH KUMAR GOULIYA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Vishnu Deo Singh Chauhan - Advocate for the petitioner.

Shri Prabhanshu Shukla - G.A. for the State.

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ORDER

This petition has been filed by the petitioner being aggrieved by the order dated 11.7.2025 (Annexure P-1) passed by respondent No. 3 by which the petitioner, who is a Middle Teacher and working as Hostel Superintendent Adiwasi Balak Ashram - Badchhar, Block Shahpura has been has been directed to handover the charge to respondent No. 4.

2. It is contended by the counsel for the petitioner that respondent No. 4 namely Sone Lal Parate has also submitted a representation dated 14.7.2025 (Annexure P-2) before respondent No. 3/Assistant Commissioner, Tribal Affairs, which is contained in Annexure P-2 by which he has expressed that he is not willing to take the aforesaid charge of superintendent on account of the fact that his wife is not keeping well last about 5 years and recently she has undergone a surgery. The petitioner has to take care of her. The petitioner has also submitted representation dated 21.7.2025 (Annexure



P-3) before respondent No. 3, same be directed to be decided expeditiously.

3. The counsel for the State submits that the impugned order has been passed in view of the administrative exigency, however, the representation of the petitioner shall be dealt with in accordance with law.

4. In view of the aforesaid, without expressing any view on the merits of the case, **the petition stands disposed of** with direction to respondent No. 3/Assistant Commissioner, Tribal Affairs, Dindori to take decision on the representation dated 21.7.2025 (Annexure P-3) submitted by the petitioner within a period of 30 days from today, by passing a well reasoned and speaking order in accordance with law while extending opportunity of hearing to the petitioner as well as respondent No. 4.

5. For a period of 30 days or till the decision on the representation of the petitioner (whichever is earlier), the petitioner shall be permitted to continue as Hostel Superintendent Adiwasi Balak Ashram - Badchhar, Block Shahpura.

(MANINDER S. BHATTI)
JUDGE