



CGHC010325552026



2026:CGHC:37530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6269 of 2026

Smt. Pushpa Dhruw W/o Nand Kumar Dhruw, Aged About 42 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Chhirahi, Block Pallari, District- Balodabazar- Bhatapara (C.G.)

... Petitioner(s)

versus

1. State Of Chhattisgarh Through The Under Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

3. Joint Director, Education Division Raipur, District- Raipur (C.G.)

4. District Education Officer Balodabazar - Bhatapara, District- Balodabazar- Bhatapara (C.G.)

5. Block Education Officer, Pallari, District- Balodabazar- Bhatapara (C.G.)

... Respondent(s)

For Petitioner	: Mr. Govind Prasad Dewangan, Advocate
For Respondents/ State	: Mr. S.S. Badgaiya, G.A.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

21/08/2026

1. By the present petition, the petitioner seeks setting aside the impugned order dated 06.08.2026 whereby he has been transferred from Government Primary School, Chhirahi, Block Pallari, District Baloda Bazar-Bhatapara to Government Primary

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School, Karhi, Block Simga,

2. Learned counsel for the petitioner submits that the impugned transfer order dated 06.08.2026 has been issued by respondent No.1 on the purported ground of administrative exigency. He submits that no actual administrative exigency exists warranting the transfer of the petitioner, particularly when the transfer has been made in the midst of the academic session. It is further submitted that, as per the provisions of the Right of Children to Free and Compulsory Education Act, 2009 and the Schedule appended thereto, the prescribed Pupil-Teacher Ratio is required to be maintained. Learned counsel submits that at the transferred school, there are already four teachers posted against 63 students and, if the petitioner is permitted to join, there would be five teachers against 63 students, resulting in excess deployment of teachers.
3. *Per contra*, learned State would oppose the submissions advanced by learned counsel for the petitioner. He would submit that it is not for the employee or a Teacher to question the order of transfer on the ground of non fulfillment of pupil-teacher ratio. He would submit that after considering all the aspects of the matter and owing to the administrative exigency the order impugned has been passed. The same is just and proper warranting no interference by this Court.
4. I have heard learned counsel for the parties and perused the documents.

5. It is a trite law that transfer/posting is an incidence of service. The Court should not interfere with the transfer/posting order unless there is malice, infringement of statutory rules and regulations. The employees may be posted anywhere at the instance of the employer in public interest and administrative exigency. Further, it is for the Government to post another person if any vacancy arises on account of transfer/posting of an employee.
6. Considering the entire facts and circumstances of the case, this Court is of the considered view that the petitioner has failed to establish his case so as to warrant any interference of this Court.
7. Accordingly, the instant petition is **dismissed**.

SD/-
(Bibhu Datta Guru)

JUDGE

Jyoti