



CGHC010394792026



2026:CGHC:43568



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7341 of 2026

Khagesh Modi Jaiswal S/o Late Khusiram Jaiwal Aged About 58 Years
Presently Working As Teacher At Govt. Middle School, Adiwasi Mohalla,
Sarwani, Block Kharsia, District Raigarh Chhattisgarh

... **Petitioner**

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of
School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa
Raipur, District Raipur Chhattisgarh

2 – Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal
Nagar Naya Raipur, District Raipur Chhattisgarh

3 - Maintaining Director, State Project Office, Samagra Shiksha,
Composite Building, Second Floor, Chhattisgarh Board Of Secondary
Education, Pension Bada, Raipur, District Raipur Chhattisgarh

4 - Collector-Cum-District Mission Director, Samagra Shiksha, Raigarh,
District Raigarh Chhattisgarh

5 - District Education Officer, Raigarh, District Raigarh Chhattisgarh

6 - Block Education Officer, Kharsia, District Raigarh Chhattisgarh

7 - Pradeep Kumar Sahu, Presently Posted As Block Resources Coordinator (BRC) At Samagra Shiksha, Kharsia, Block Kharsia District Raigarh Chhattisgarh Substantive Post Is Lecturer (L.B.) At Govt. Higher Secondary School, Halahuli, Block Kharsia, District Raigarh Chhattisgarh

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Govind Prasad Dewangan, Advocate
For Respondents/State	: Mr. Ghanshyam Kashyap, Dy. Govt. Advocate
For Respective Respondent	: Mr. Yogendra Pandey, Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

08/10/2026

1. By the present writ petition, the petitioner is seeking for the following reliefs :-

“10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records in relates to the case of the petitioner from the possession of respondents for its kind perusal.

10.2 That, this Hon'ble Court may kindly be pleased to set aside the impugned order dated 08.09.2026 (Annexure-P/1) issued by the respondent no.1 i.e. The Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District Raipur (C.G.) by which the respondent no.7 namely Pradeep Kumar Sahu has been given posting as Block Resources Coordinator (BRC) at Samagra Shiksha, Kharsia, Block Kharsia, District Raigarh (C.G.) in contrary to the guideline dated 03.09.2015 and 23.02.2017.

10.3 That, this Hon'ble Court may kindly be pleased

to direct the respondents authority to appoint afresh on the post of Block Block Resources Coordinator (BRC) at Samagra Shiksha, Kharsia, Bloci. Kharsia, District Raigarh (C.G.) strictly in accordance with the guideline dated 05.05.2007, 03.09.2015 and 23.02.2017 among the eligible persons.

10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief/relief's in favour of the petitioners, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioner.”

2. Learned counsel appearing for the petitioner submits that the petitioner is aggrieved by the impugned order dated 08.09.2026 (Annexure P/1), whereby respondent No.7, who is working as Lecturer (L.B.), has been posted as Block Resources Coordinator (BRC) at Samagra Shiksha, Kharsia, Block Kharsia, District Raigarh, on deputation. He submits that, as per the guidelines dated 03.09.2015 and 23.02.2017 issued by the respondent authorities, a Lecturer is not eligible to be appointed as BRC and the appointment to the said post is required to be made strictly in accordance with the prescribed guidelines. He further submits that the impugned order, whereby respondent No.7 has been posted as BRC, is contrary to the aforesaid guidelines and is, therefore, unsustainable in law. He, accordingly, prays for quashing of the impugned order and for a direction to the respondents to make a fresh appointment to the post of BRC in accordance with the applicable guidelines.

3. On the other hand, learned counsel appearing for the respective respondents would submit that the impugned order dated 08.09.2026 has been passed by the respondent authority in administrative exigency and that the petitioner has filed the present petition in his personal capacity, despite the fact that he has no locus to challenge the said order. Hence, the present petition is not maintainable and deserves to be dismissed.
4. I have heard learned counsel for the parties and perused the documents available on record.
5. The contention of the petitioner is that the impugned order dated 08.09.2026, whereby respondent No.7, who is working as Lecturer (L.B.), has been posted as Block Resources Coordinator (BRC) at Samagra Shiksha, Kharsia, District Raigarh, on deputation, is contrary to the guidelines dated 03.09.2015 and 23.02.2017, as according to the petitioner, a Lecturer is not eligible to be appointed as BRC. However, from perusal of the relief clause of the present petition, it appears that the petitioner has not sought any relief for himself and has sought quashment of the appointment/posting of respondent No.7 and a direction for fresh appointment to the post of BRC. The petitioner has failed to demonstrate any personal or individual right which is sought to be enforced through the present writ petition thus, at this stage, the present petition is not maintainable at the instance of the petitioner.
6. It is the trite law that ordinarily, the person who seeks a relief under Article 226 of the Constitution of India must have personal

or individual right in the subject-matter and the word “ordinarily” includes, a person who has been prejudicially affected by an act or omission of an authority.

7. It is also the settled law that a person shall have no *locus standi* to file a writ petition if he is not personally affected by the impugned order or his fundamental rights have neither been directly or substantially invaded nor is there any imminent danger of such rights being invaded or his acquired interests have been violated ignoring the applicable rules. (See: ***Vinoy Kumar v State of U.P. and Others***)¹.
8. In view of the aforesaid discussion, since the petitioner has not sought any relief for himself and has failed to demonstrate infringement of any personal or individual right, the present writ petition is not maintainable at his instance.
9. Accordingly, the writ petition is **dismissed** at the motion stage itself as not maintainable.

Sd/-
(BIBHU DATTA GURU)
JUDGE

\$. Bhilwar

1 (2001) 4 SCC 734