CGHC010381142026 2026:CGHC:42943

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7254 of 2026

Paras Yadav S/o Shri Ganesh Ram Yadav Aged About 54 Years Presently Posted As Teacher At Govt. Middle School Umarada, Block - Kurud, District Dhamtari Chhattisgarh

... Petitioner(s)

versus

JYOTI SHARMA
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Date: 2026.10.05 16:53:33 +0530

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

2. State Of Chhattisgarh Through The Secretary, Committee Of Senior Secretaries, Department Of School Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

3. Department Of Public Instruction Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

4. Joint Director Education Department Division Raipur, District Raipur Chhattisgarh

5. District Education Officer, Dhamtari District Dhamtari Chhattisgarh

6. Block Education Officer Block Kurud, District Dhamtari Chhattisgarh

7. Hariram Sahu S/o Narottam Sahu Aged About 55 Years Posted As Assistant Teacher At Govt. Primary School Bastipara Khisor, Block Magarlod, District Dhamtari

... Respondent(s)

For Petitioner : Mr. Pramod Ramteke, Advocate

For Respondent/ State : Mr. Anil S. Pandey, G.A.

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

05/10/2026

1. Learned counsel appearing for the petitioner submits that the order of transfer dated 06.08.2026 whereby the petitioner has been trasnferred from Govt. Middle School, Umarada, Block Kurud, District Dhamtari to Gariyaband had already been assailed by the petitioner in an earlier writ petition bearing WPS No. 6271 of 2026, which came to be disposed of by this Court vide order dated 20.08.2026 with a direction to the competent authority to consider and decide the representation submitted by the petitioner within a period of 25 days. Pursuant thereto, the representation submitted by the petitioner has been considered and rejected vide impugned order dated 10.09.2026. Therefore, the present writ petition has been filed challenging the order of transfer as well as the subsequent order dated 10.09.2026 rejecting the representation.

2. Learned counsel for the petitioner submits that the representation of the petitioner has been rejected in violation of the applicable transfer policy. He further submits that the petitioner had been assigned census-related work up to the year 2027 and, despite the same, he has been transferred in the middle of the said assignment. It is, therefore, contended that the impugned order of transfer as well as the order rejecting the representation are liable to be set aside.

3. Per contra, learned State counsel, on instructions, submits that pursuant to the order passed by this Court in the earlier writ petition, the representation submitted by the petitioner has duly

been considered and decided by the competent authority. He further submits that so far as the contention regarding the census work is concerned, the work which had been assigned to the petitioner has already been completed, therefore, the ground raised by the petitioner with regard to census duty does not survive. He also submits that the petitioner is a teacher and is engaged in teaching work thus the transfer policy is not applicable upon him. He submits that the present writ petition is devoid of merit and deserves to be dismissed.

4. I have heard learned counsel for the parties and perused the material available on record.

5. From a perusal of the record, it is apparent that the order of transfer had already been assailed by the petitioner in the earlier writ petition bearing WPS No. 6271 of 2026. The said writ petition was disposed of vide order dated 20.08.2026 with a direction to the competent authority to consider and decide the representation of the petitioner within a period of 25 days. In compliance thereof, the representation submitted by the petitioner has been considered and rejected by the competent authority vide order dated 10.09.2026.

6. Once the order of transfer had already been the subject matter of challenge in the earlier writ petition and this Court had directed consideration of the petitioner's representation, the petitioner cannot be permitted to reagitate the same order of transfer by filing a subsequent writ petition. The subsequent order dated

10.09.2026 is only an order passed upon consideration of the representation in compliance with the earlier order of this Court.

7. So far as the submission regarding the petitioner having been assigned census-related work is concerned, the said ground also cannot be permitted to be raised as a fresh ground in the subsequent writ petition, particularly when the order of transfer itself had already been assailed in the earlier proceedings. Moreover, learned State counsel, on instructions, submits that the census work assigned to the petitioner has already been completed and further as the transfer policy is not applicable on petitioner.

8. In view of the aforesaid, this Court finds no ground to entertain the present writ petition, which amounts to reagitating the challenge to the transfer order already considered in the earlier writ proceedings.

9. Accordingly, the present writ petition is **dismissed**.

SD/-
(Bibhu Datta Guru)

JUDGE

Jyoti