CGHC010433932026 2026:CGHC:46725

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7927 of 2026

Smt. Anjali Jaiswal W/o Shri Gajendra Pal Aged About 40 Years (Wrongly Written As Anjani Devi Jassawal In Annexure P/1 And Anjali Devi Jaiswal In Annexure P/5), Working As Lecturer (L.B.) Hindi, Government High School Namna, Block - Udaipur, District Surguja (C.G.)

... Petitioner(s)

versus

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

2 - High-Level Transfer Committee / Cabinet Sub-Committee Through Its Member Secretary / Convener, General Administration Department (G.A.D.), Mantralaya, Mahanadi Bhawan, Nawa Raipur (C.G.)

3 - Director Directorate Of Public Instruction (D.P.I.), Indravati Bhawan, Nawa Raipur, District Raipur (C.G.)

4 - District Education Officer (D.E.O.) Ambikapur, District Surguja

(C.G.)

5 - District Education Officer (D.E.O.) Korba, District Korba (C.G.).

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	**:**	Shri Raj Kumar Sahu, Advocate
For Respondent(s)	**:**	Shri Gary Mukhopadhyay, Addl. Advocate General

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

04.11.2026

1. By way of the present writ petition, the petitioner has called in question the subsequent order of posting dated 27.10.2026 (Annexure P/5), whereby the petitioner has been transferred from Government High School, Namna, Block Udaipur, District Surguja, to Government High School, Parsada, Block Pali, District Korba.

2. Learned counsel for the petitioner submits that the petitioner had earlier challenged the transfer order dated 06.08.2026, whereby he was transferred from Government High School, Namna, District Surguja, to the Office of the District Education Officer, Korba, by filing WPS No. 6300 of 2026. The said writ petition was disposed of by this Court with liberty to the

petitioner to submit a representation before the competent Committee within a period of 10 days. The Committee was, in turn, directed to consider and decide the representation within a period of 20 days from the date of its receipt. This Court had further directed that the effect and operation of the transfer order dated 06.08.2026 shall remain stayed till the expiry of 30 days.

3. Learned counsel for the petitioner further submits that, pursuant to the aforesaid order, the petitioner submitted a representation before the competent Committee, which was dispatched through post on 31.08.2026, as evident from Annexure P/3. However, despite submission of the said representation, the Committee has not taken any decision thereon till date. In the meantime, by the impugned order dated 27.10.2026 (Annexure P/5), the petitioner has again been transferred from Government High School, Namna, Block Udaipur, District Surguja, to Government High School, Parsada, Block Pali, District Korba. It is, therefore, contended that the impugned order has been issued without first considering the representation submitted by the petitioner and is, accordingly, unsustainable in law.

4. Per contra, learned Additional Advocate General Mr. Gary Mukhopadhyay, appearing for the State, submits that the earlier order dated 06.08.2026 contemplated the transfer of the petitioner from his place of posting at Government High School, Namna, District Surguja, to the option of the District Education Officer, Korba. However, the subsequent order dated 27.10.2026 merely provides for the posting of the petitioner at Government High School, Parsada, Block Pali, District Korba. It is submitted that the posting of the petitioner in a school, instead of at the option of the District Education Officer, Korba, was also one of the grounds raised by the petitioner in the earlier writ petition.

5. Learned State counsel further submits that there is no acknowledgement or any other document on record to establish that the petitioner had submitted the representation before the competent Committee within the stipulated period of 10 days, as directed by this Court in WPS No. 6300 of 2026. It is contended that the petitioner has merely placed on record a postal receipt indicating that the representation was dispatched on 31.08.2026, whereas the direction issued by this Court required the petitioner to submit the

representation within 10 days. In the absence of any material establishing compliance with the aforesaid direction within the stipulated period, the petitioner cannot contend that the Committee failed to consider the representation or that the subsequent order of posting dated 27.10.2026 is illegal on that account.

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

7. From a perusal of the order passed in the earlier writ petition, i.e., WPS No. 6300 of 2026, it is evident that the petitioner was granted liberty to submit a representation before the competent Committee within a period of 10 days, and the Committee was directed to consider the same within a further period of 20 days from the date of its receipt. The interim protection granted by this Court was also limited to a period of 30 days.

8. In the present case, the petitioner has relied upon Annexure P/3 to contend that he had submitted a representation before the competent Committee through post on 31.08.2026. However, the petitioner has not placed on record any acknowledgement or other material to establish that the said

representation was received by the competent Committee within the stipulated period of 10 days, as directed by this Court in the earlier writ petition. Thus, in the absence of any cogent material demonstrating compliance with the direction issued by this Court within the prescribed period, the contention of the petitioner that the Committee failed to consider his representation cannot be accepted.

9. It is also pertinent to note that the interim protection granted in the earlier writ petition was expressly limited to a period of 30 days, which period has already expired. Therefore, the petitioner cannot claim continuation of the interim protection beyond the period specifically stipulated in the earlier order.

10. Further, the impugned order dated 27.10.2026 (Annexure P/5) merely provides for the posting of the petitioner at Government High School, Parsada, Block Pali, District Korba, in place of his earlier proposed posting at the option of the District Education Officer, Korba. The petitioner has not been able to demonstrate any violation of the directions issued by this Court in the earlier writ petition or any other illegality in the subsequent order of posting warranting interference by this Court in exercise of its writ jurisdiction. It is a settled

position that an employee cannot claim, as a matter of right, to continue at a particular place of posting.

11. In view of the aforesaid facts and circumstances, this Court does not find any illegality or infirmity in the impugned order dated 27.10.2026 (Annexure P/5) warranting interference.

12. Accordingly, the writ petition is dismissed.

Sd/-

(Bibhu Datta Guru)

JUDGE

Shoaib