



2026:CGHC:21420

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 3164 of 2026**

Sadanand Ker Sharma S/o Late B.K. Sharma Aged About 59 Years R/o-  
Adawal (Khaspara), Distt.- Jagdalpur (C.G.)

**... Petitioner(s)**

**versus**

1. State Of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Distt.- Raipur (C.G.)
2. Joint Director Education Department, Bastar Division Distt. Jagdalpur (C.G.)
3. The Collector Distt. Jagdalpur (C.G.)
4. District Education Officer Bastar Distt. Jagdalpur (C.G.)
5. Principal Govt. High School Babusemra, Block- Jagdalpur, Distt. Jagdalpur (C.G.)

**... Respondent(s)**

*(Cause title taken from CIS)*

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For Petitioner(s) : Mr. Rakesh Kumar Thakur, Advocate

For Respondent(s)/State : Mr. Aditya Tiwari, P.L.

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**Hon'ble Shri Bibhu Datta Guru, Judge**

**Order on Board**

**07.05.2026**

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

“A. That, this Hon'ble Court may kindly be pleased to call for the entire records relating to the matter of petitioner for the kind perusal of this Hon'ble Court.

B. That, this Hon'ble Court may kindly do issue in the nature of Writ of Mandamus or any other appropriate Writ and set aside the letter dated 24/02/2026 (P-1) issued by the Respondent No.5 whereby the petitioner has been forcefully relived from his present place of posting and direct the respondents authority to give joining the petitioner again in the post of Lecturer in High School Babu Semra.

C. Any other relief, which may be suitable in the fact's of the case, may also be granted.”

2. The brief facts of the case, are that the petitioner was initially appointed on 19/12/1985 on the post of Assistant Teacher at Primary School, Block Gidam, District Bastar. Thereafter, in the year 2008, he was promoted to the post of Upper Division Teacher and was posted at Middle School Badesurma, Block Jagdalpur under the School Education Department. Subsequently, in the year 2012, the petitioner was further promoted to the post of Lecturer and was posted at Govt. High School Raikot, Block Tokapal, which falls under the Tribal Welfare Department. Thereafter, by order dated 25/11/2014, the petitioner was transferred from Govt. High School Raikot, Block Tokapal to Govt.

High School Semra, Block Jagdalpur, after upgradation of the said school from Middle School to High School, under the School Education Department, which is stated to be the parent department of the petitioner. Since then, the petitioner had been continuously working at Govt. High School Semra and drawing salary from the said institution. Thereafter, respondent No. 4 issued an order dated 18/02/2026 stating that pursuant to the direction issued by the Education Department dated 02/09/2025, no teacher shall remain attached and consequently all attachment orders in District Bastar stood cancelled with immediate effect. In furtherance thereof, respondent No. 5/Principal, Govt. High School Babusemra, by letter dated 24/02/2026, relieved the petitioner from Govt. High School Babusemra and directed him to report before Govt. High School Raikot, Block Tokapal. Being aggrieved, the petitioner submitted a representation before respondent No. 2; however, no action has been taken thereon. Hence, this petition.

3. Learned counsel for the petitioner submits that the impugned action of respondent No. 5 is arbitrary, illegal and without authority of law. He submits that the petitioner has been working as Lecturer at Govt. High School Babusemra since the year 2014 and has been continuously drawing salary from the said institution under the School Education Department. It is further submitted that the transfer order dated 25/11/2014 nowhere indicates that the petitioner was merely attached at Govt. High School

Babusemra. On the contrary, the petitioner was duly posted there. Learned counsel further submits that even the seniority list dated 08/05/2024 published by the School Education Department contains the name of the petitioner. It is further argued that the petitioner is the only Lecturer for Hindi subject in Govt. High School Babusemra and his relieving would adversely affect the studies of the students. Lastly, it is submitted that respondent No. 5 had no authority to relieve the petitioner in absence of any order passed by the competent authority and therefore the impugned order dated 24/02/2026 deserves to be set aside.

4. *Per Contra*, learned counsel for the respondents/State would oppose the contention of the counsel for the petitioner and submits that the order dated 25.11.2014 whereby the petitioner was posted to Govt. High School Semra, Block Jagdalpur an attachment order and the impugned order is only an order recalling the said attachment order.
5. I have heard learned counsel for the parties and perused the material available on record.
6. A perusal of the order dated 25/11/2014 (Annexure P-3) reveals that the petitioner was transferred and posted from Govt. High School Raikot, Block Tokapal to Govt. High School Semra, Block Jagdalpur. The said order nowhere indicates that the petitioner was attached in Govt. High School Semra, Block Jagdalpur. On the contrary, the language employed in the order clearly reflects

that it was a regular transfer and posting order. Therefore, the contention raised by the respondents that the petitioner was merely attached at Govt. High School Babusemra is not borne out from the record.

7. It is also not in dispute that since the year 2014 the petitioner has been continuously working at Govt. High School Babusemra and drawing salary from the School Education Department. In such circumstances, respondent No. 5 could not have relieved the petitioner by treating his posting as an attachment pursuant to the order dated 18/02/2026 cancelling attachment orders.
8. Consequently, the impugned letter dated 24/02/2026 (Annexure P-1) issued by respondent No. 5 deserves to be and is hereby set aside. Accordingly, the writ petition stands **allowed**.

Sd/-

**(Bibhu Datta Guru)**  
**Judge**