



2026:CGHC:4122

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 797 of 2026

- Smt. Rashmi Botkewar W/o Late Ashish Botkewar Aged About 48 Years Lecturer (L.B. Education) Posted At Government Boys Higher Secondary School Surajpur (E), District Surajpur (C.G.), Earlier Posted At Government Girls Higher Secondary School Pratappur, Block Pratappur, District Surajpur (C.G.)

... Petitioner

versus

- The State Of Chhattisgarh Through- The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur (C.G.)
- Director Directorate Of Public Instruction, Indravati Bhawan, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur (C.G.)
- The Joint Director / Secretary Divisional Rationalization Committee, Education Division Bilaspur (C.G.)
- Collector Surajpur District Surajpur (C.G.)
- District Education Officer Surajpur, District Surajpur (C.G.)
- The Principle Government Girls Higher Secondary School Pratappur (Sages), Block Pratappur, District Surajpur (C.G.)

... Respondents

For Petitioner	: Mr. Roop Ram Naik, Advocate
For Respondent-State	: Mr. Rishabh Bisen, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

23/01/2026

- Petitioner has filed this writ petition seeking following reliefs.

“10.1 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ /order/ direction to set-aside/quash the impugned order dated 04.06.2025 (Annexure P-1) issued by the respondent No. 5 & order dated



22.12.2025 issued by the respondent No. 6 (Annexure P-2).

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ /order/ direction against the respondent authority to grant opportunity the petitioner to choose the place of posting and her name to be forwarded before the respondent No. 2 for State Level Rationalization Counseling.

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ/order/ direction against the respondent authority to decide the pending representation of the petitioner within stipulated time period.

10.4 That, any appropriate writ, direction or order may kindly be passed in favour of the petitioner, which this Hon'ble Court deems fit in the circumstances of the case."

2. Learned counsel for petitioner submits that petitioner is working as Lecturer and was earlier posted at Government Girls Higher Secondary School, Pratappur District Surajpur under rationalization scheme. Petitioner was held to be teacher in excess. According to the policy formulated by the State Government, the teachers who are found in excess in the school in all over the State of Chhattisgarh, their posting is to be done based on counseling process and in the counseling process the senior most teacher in the cadre has to be called first for his/her option of a school, in which post of that particular subject is vacant. He submits that at that time, petitioner along with her husband met with an accident in which petitioner suffered fracture injury and her husband died in the motor accident. Petitioner thereafter has taken a long treatment in Chhattisgarh and in Maharashtra and she initially could not participated in the counseling proceeding herself, however, she nominated one person namely Dushyant Rajwade who was issued token at district level counseling but considering that the teacher who has declared in excess is not present in person, he was not permitted to participate in the counseling proceedings for opting the school for posting. It is contention of learned counsel for petitioner that he is not asking for reconsideration of counseling process of district level or the divisional level committee but as the petitioner



has submitted representation before the State Level Committee ei., the Committee headed by DPI (Respondent No. 2) which is pending consideration, therefore, Respondent No. 2 be directed to take decision at the earliest.

3. Learned State counsel submits that in view of the limited prayer made by learned counsel for petitioner, he is having no objection.
4. I have heard learned counsel for the parties and also perused the documents enclosed along with writ petition.
5. Grievance of petitioner is that petitioner could not able to participate in the counseling proceedings at district level and divisional level due to some unavoidable circumstances as she suffered fracture injury in the motor accident, as is reflecting from the representation and unfortunately she lost her husband also in that accident. She underwent operation twice. Counseling proceeding at the district level and the divisional level has already been over. The appropriate authority for considering the grievance is Respondent No.2 before whom petitioner has already submitted representation.
6. In the facts and circumstances of the case, nature of grievance, this writ petition is disposed of directing Respondent No. 2 to consider the representation of petitioner, objectively with pragmatic approach, sympathetically and to decide the same, in accordance with law, expeditiously preferably within a further period of four weeks from the date of receipt of order passed by this Court.
7. Petitioner will also be at liberty to submit fresh representation, if she so desires and if such a representation is submitted, Respondent No.2 shall also consider the fresh representation along with pending representation in terms of the observation made above.
8. Accordingly, this writ petition is disposed of with the aforesaid observation and direction.

Sd/-

(Parth Prateem Sahu)

JUDGE