



2026:CGHC:15159

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2398 of 2022

1 - Kamlesh Panda S/o Late Murdhidhar Panda Aged About 24 Years R/o W.No. 11, Gharghoda , Tehsil Gharghoda, District Raigarh Chhattisgarh.

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Its Secretary Department Of School And Education Mahanadi Bhawan, Naya Raiur , Po And Police Station Rakhi, District Raipur Chhattisgarh.

2 - Director Directorate Of Public Instructions Indrawati Bhawan, 3rd Floor, Raipur , District Raipur Chhattisgarh.

3 - Collector Raigarh District Raigarh Chhattisgarh.

4 - District Education Officer Raigarh, District Raigarh Chhattisgarh.

... **Respondent(s)**

(Cause Title is taken from Case Information System)

For Petitioner/s	: Shri Ashutosh Mishra, Advocate.
For Respondent/ State	: Shri Abhuday Tripathi, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

01.04.2026

1. The petitioner has filed this petition seeking the following reliefs:

“10.1 This Hon'ble Court may be pleased to quash/set aside the order dated 30.03.2022 (Annexure P/1) issued by District Education Officer, Raigarh in the interest of justice.

10.2 This Hon'ble Court may kindly be pleased to direct the respondent authorities to allow the petitioner to continue his services at deputed place.

10.3 This Hon'ble Court may kindly be pleased to grant any other writ/ writs, order/ orders, relief/ reliefs in favour of the petitioner, 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 for the petitioner would submit that the petitioner was posted as Assistant Grade-III in Government Higher Secondary School, Bhalumar, Block Gharghoda, District Raigarh. He was sent on deputation to Swami Atmanand English Medium School at Gharghoda vide order dated 23.10.2021 issued by the State Government. He would contend that the District Education Officer, Raigarh vide order dated 30.3.2022 passed an order of repatriation without affording any opportunity of hearing. It is also contended that as the initial order of deputation was issued by the State Government, the District Education Officer was not competent to cancel such order. He would pray to allow this petition.
3. On the other hand, learned counsel for the State would oppose the submissions made by counsel for the petitioner. He would submit that the petitioner has no right to retain the post on deputation for an indefinite period. He would submit that the petitioner has already completed four years of service at present place of posting by virtue of the interim order and thus, the petition has become infructuous.

4. I have heard learned counsel for parties and perused the documents available on record.
5. The petitioner is Assistant Grade-III whose services were sent on deputation to Swami Atmanand English Medium School at Gharghoda vide order dated 23.10.2021. The petitioner joined there, and thereafter, the District Education officer, Raigarh vide order dated 30.3.2022 cancelled the said order and relieved the petitioner. A perusal of order dated 23.10.2021 would show that the order of deputation was issued by the State Government whereas, it has been modified by the District Education Officer, therefore, this petition is disposed of at this juncture, reserving liberty in favour of the petitioner to make a representation before respondent No.1 within a period of 30 days and in turn, respondent No.1 is directed to decide the same within a further period of 30 days. The interim order granted earlier shall remain operative for a period of 60 days only.
6. With the aforesaid observation(s), the present petition is disposed of.

Sd/-
(Rakesh Mohan Pandey)
Judge