



CGHC010253122026

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5200 of 2026****DR. SHAILENDRA KHARE *versus* STATE OF CHHATTISGARH****Order on Board**

09/07/2026	Mr. Pankaj Singh, Advocate for the petitioner. Mr. Suyashdhar Badgaiya, Govt. Advocate for respondents No.1, 2 & 4/ State. Heard. (a) Learned counsel for the petitioner submits that the petitioner is presently working as Veterinary Assistant Surgeon, Veterinary Hospital, Dongargarh, District Rajnandgaon, and has challenged the order dated 29.05.2026 whereby the charge of the higher gazetted post of Deputy Director, Veterinary Services, District Rajnandgaon has been entrusted to respondent



No.3. He submits that the petitioner is senior to respondent No.3 in the common cadre of Veterinary Assistant Surgeons, as the name of the petitioner is placed at Serial No.39 of the gradation list, whereas respondent No.3 is placed at Serial No.66.

(b) Learned counsel further submits that despite the petitioner being the senior and eligible officer, the charge of the higher gazetted post has been conferred upon respondent No.3 without assigning any valid administrative reason, in complete disregard of the Circular dated 14.07.2014 (Annexure P/4) issued by the General Administrative Department, Government of Chhattisgarh, which specifically provides that the charge of a higher post shall not be entrusted to a junior officer by bypassing a senior officer. Therefore, learned counsel submits that the impugned order is arbitrary, contrary to the binding policy of the State Government and, hence, liable to be set aside.

Learned counsel for the State, on instructions, submits that the charge of the post of Deputy Director,



Veterinary Services, Rajnandgaon was entrusted to respondent No.3 only as a temporary arrangement since the regular incumbent, Dr. Anup Chatterjee, has been on leave since 21.05.2026. He further submits that as respondent No.3 was already posted in the office of the Deputy Director, Veterinary Services, Rajnandgaon, whereas the petitioner was posted at Veterinary Hospital, Dongargarh, the temporary charge was entrusted to respondent No.3 purely for administrative convenience.

Issue notice.

Mr. Suyashdhar Badgaiya, Govt. Advocate would accept notice on behalf of respondents No.1, 2 & 4/ State and is granted three weeks' time to file reply.

On payment of process fee within ten days, notice be issued to respondent No.3.

Also heard on I.A. No.01/2026, application for grant of interim relief.

Having considered the facts and circumstances of the case, the Circular dated 14.07.2014 issued by the



State Government, and the submissions advanced by learned counsel for the parties, particularly the prima facie contention that despite being senior to respondent No.3, the petitioner has been bypassed while entrusting the charge of the higher post to a junior officer, purely as an interim measure, the effect and operation of the impugned order dated 29.05.2026 (Annexure P/1) shall remain stayed till the next date of hearing.

Since the impugned order has been stayed hereby, the State shall be at liberty to entrust the charge of the post of Deputy Director, Veterinary Services, Rajnandgaon to a competent officer, strictly in accordance with the Circular dated 14.07.2014 issued by the State Government.

List this case on **04.08.2026**.

Sd/-

(BIBHU DATTA GURU)
Judge