



2026:CGHC:16871

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(S) No. 9399 of 2022

Dhanendra Prasad Pandey S/o Rajiv Lochan Pandey Aged About 49 Years Working As Assistant Teacher (L.B.) (Primary School) At Government Primary School, Kodangi, Block Khadgawana, District Manendragarh-Chirmiri-Bharatpur, Chhattisgarh, R/o Kodangi, Block Khadgawana, District Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh
3. District Education Officer Baikunthpur, District Korea, Chhattisgarh
4. District Education Officer Manendragarh, District Manendragarh-Chirmiri-Bharatpur, Chhattisgarh

---- **Respondents**

<u>10/01/2023</u>	Mr. T.K. Jaha, Advocate with Mr. Tapan Kumar Jha, counsel for petitioner. Mr. R.K. Bhagat, G.A. for State. Heard.



	Issue notice to respondents. Mr. Bhagat accepts notice on behalf of respondents, hence, process fee is not required to be paid for those respondents. He prays and is granted four weeks time to file reply. Also heard on I.A. No.1, which is an application for grant of interim relief. Learned counsel for petitioner submits that petitioner is Assistant Teacher LB posted at Government Primary School Kodaangi, Block – Khadgawa, District – Manendragarh – Chirmiri- Bharatpur. He contended that vide Annexure P-1 dated 09.12.2022, District Education Officer, Baikunthpur, District Koriya i.e. respondent No.3 issued a letter to all Block Education Officer of District Manendragarh- Chirmiri-Bharatpur for counselling of all assistant teachers for their posting after promotion on different schools. He contended that new District Manendragarh- Chirimiri- Bharatpur is constituted w.e.f. 10.09.2022. This order is after about 3-4 months from the date of constitution of new district. Once the new district is constituted, the District Education Officer of District Korea has no jurisdiction to issue any direction or order in newly constituted district. Order Annexure P-1 passed by respondent No.3 is without jurisdiction. Learned State counsel submits that according to instruction received by him as the District Education Officer for newly constituted was not posted, respondent No.3 initiated proceedings. He also submits that counselling proceeding has already been completed and order of posting is yet to be issued. Considering the submission of learned counsel for
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respective parties, purely as an interim measure it is directed that further proceeding pursuant to counselling proceeding completed by respondent No.3 so far as it relates to District – Manendragarh- Chirimiri-Bharatpur shall remain stayed.

List this case in the week commencing 13.02.2023.

**Sd/-
(Parth Prateem Sahu)
Judge**

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