



2026:CGHC:10628
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 14000 of 2025

1 - Dakesh Kumar Sahu S/o Patiram Sahu Aged About 50 Years Occupation Assistant Teacher Lb Posted At Government Primary School Kadambe, Block Korba, Distt. Korba, Chhattisgarh.

--- Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary School Education Department, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Distt. Raipur, Chhattisgarh.

2 - Director Public Instruction Directorate, Chhattisgarh First Floor, C- Block Indirawati Bhawan, Naya Raipur, Distt. Raipur, Chhattisgarh.

3 - Joint Director Education Department Bilaspur, Distt. Bilaspur, Chhattisgarh.

4 - Collector And Chairman District Rationalization Committee Korba, Distt. Korba, Chhattisgarh.

5 - Secretary And District Education Officer District Level Rationalization Committee Korba, Distt. Korba, Chhattisgarh.

6 - Block Education Officer Korba, Distt. Korba, Chhattisgarh.

--- Respondent(s)

(Cause title is taken from CIS system)

BALRAM
PRASAD
DEWANGAN
Digitally signed
by BALRAM
PRASAD
DEWANGAN

For Petitioner : Mr. Awadh Tripathi, Advocate

For Respondents/State : Ms. Anuja Sharma, Dy.G.A.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

28/02/2026

1. Petitioner has filed this petition seeking following relief (s) :-

“10.1 That, the Hon'ble Court may kindly be pleased to allow this petition and kindly quash the impugned order dated 03.12.2025 (Annexure P-1) kindly direct the respondents to kindly post the petitioner at the present place of posting i.e. Primary School Risda, in the interest of justice.

10.3 That, the Respondent No.4 and 5 may kindly be directed to decide the representation dated 04.12.2025 (Annexure P-2) in the interest of justice.

10.3 That, any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioner in the interest of justice along with cost of the petition.”

2. Learned counsel for petitioner submits that petitioner while posted as Assistant Teacher at Government Primary School, Bagbahar, Block Korba, based on the complaint of Sarpanch was suspended vide order dated 01.09.2025 and his headquarter has been ordered to be in the office of Block Education Officer, Kartala. Subsequently order of suspension of petitioner was revoked vide order dated 27.11.2025 and petitioner was posted in the single teacher school Government Primary School, Risda, Block Korba. It is further contention of learned counsel for petitioner that posting of teachers after revocation of suspension is to be made in single teacher school or in the school without teacher. According to directives issued by the Director Public Instructions dated 10.10.2025, posting of petitioner after revocation of suspension is in compliance to the directives issued by the State Government in single teacher school. In school at Risda, 46 children are admitted and prosecuting their studies. Suddenly within short period of time i.e. within five days of order of posting of petitioner (after revocation of suspension) another order was issued on 03.12.2025

cancelling the order of posting of petitioner at Government Primary School, Risda, Block- Korba and posted petitioner at Government Primary School Bagbahaar, where only 23 children are admitted and prosecuting their studies. He also contended that according to the policy formulated by the State Government that for every 30 children, one teacher is to be posted, therefore, posting of petitioner in the Primary School, Risda is in accordance with the policy formulated by the State Government for 46 students along with petitioner there were only two teachers. He submits that as the order of subsequent posting of petitioner at Bagbahaar is in contravention of the policy of the State Government fixing ratio of teachers and students and further directives issued in this regard by the Director Public Instructions dated 10.10.2025, therefore, it be set-aside.

3. Learned State counsel opposes the submission of learned counsel for petitioner and would submit that District Education Officer considering administrative exigency has posted the petitioner in Government Primary School, Bagbahaar, Block Korba vide order dated 03.12.2025, hence, it does not call for any interference.
4. Upon putting specific query to learned State counsel with regard to number of students admitted and prosecuting their studies in Government Primary School, Risda, she submits that according to her instructions, submission of learned counsel for petitioner is correct and submits that at Government Primary School, Risda, 46 students have taken admission and prosecuting their studies and 23 students at Primary School, Bagbahaar are admitted and prosecuting their

studies. She also do not dispute the submission of learned counsel for petitioner with regard to ratio of teachers and students to be 1:30.

5. I have heard learned counsel for parties and perused the documents placed on record.
6. State Government to post sufficient number of teachers in all school within State of Chhattisgarh has formulated the policy for posting of one teacher for every 30 students. Further directives has been issued by the Director Public Instructions for posting of teachers after revocation of suspension, primarily in the school without teachers and thereafter to single teacher school. It is not in dispute that Primary School, Bagahar and Primary School, Risda both are single teacher school, but number of students admitted and prosecuting their studies are different. In primary School, Bagbaahar only 23 students are admitted and prosecuting studies whereas in Primary School, Risda, 46 students have taken admission and prosecuting their studies.
7. In the aforementioned facts of the case and the policy formulated by the State Government where one teacher is to be posted for every 30 students, the need of posting of petitioner is much more at Government Primary School, Risda. Respondent – District Education Officer has not considered this aspect and has passed the order (Annexure P-1) cancelling the order of posting of petitioner at Government Primary School, Risda and posting the petitioner at Primary School, Bagbaahar, where number of students is half to that of number of students at Government Primary School, Risda.

8. For the foregoing discussions, this petition is allowed. Order dated 03.12.2025 (Annexure P-1), passed by the District Education Officer, Korba is hereby quashed, being not sustainable.

Sd/-
(Parth Prateem Sahu)
Judge

Balram