



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 701 of 2026

- Hemant Kumar Sahu S/o Shri Dhelu Ram Sahu Aged About 43 Years R/o Village Parewadih Ward 15, P.O. Sambalpur, P.S Arjuni, Tehsil- Dhamtari District- Dhamtari (C.G.)

... Petitioner

versus

1. State Of Chhattisgarh Through- The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar, District Raipur (C.G.)
2. The Director Public Instructions, Directorate Public Instructions Raipur, First Floor, C Block, Indravati Bhawan, Nava Raipur, District Raipur (C.G.)
3. Dy. Director Public Instructions, Directorate Public Instructions Raipur, First Floor, C Block, Indravati Bhawan, Nava Raipur, District Raipur (C.G.)
4. District Education Officer District Dhamtari (C.G.)
5. Janpad Panchayat Magarload Through The Chief Executive Officer, District Dhamtari (C.G.)
6. Government Primary School Karelichhoti Through The Head Master, Block Magarload, District Dhamtari (C.G.)

... Respondent(s)

Order on Board

21/01/2026	Mr. Prateek Sharma, Advocate for petitioner. Ms. Apurva Nigam, Panel Lawyer for Resp.-State. Heard.
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Issue notice to Respondents.

Ms. Nigam, learned State counsel accepts notice on behalf of respondents. Hence, PF is not required to be paid. She prays for and is granted four weeks' time to file reply.

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

Learned counsel for petitioner submits that petitioner was appointed on the post of Siksha Karmi Gr. III in the year 2007 and since then he is performing his duties. He was promoted on the post of Headmaster, Primary School, in the year 2022 pursuant to the order passed by the competent authority. It is contended that based on some complaint, crime was registered against petitioner. At that time, in the F.I.R., petitioner was not specifically named, however, after completion of investigation name of petitioner is mentioned in supplementary charge-sheet. He contended that trial till date is not concluded and the allegation, if any, against petitioner is not proved to be correct. The respondents-authorities taking note of registration of case against petitioner has directed for internal enquiry as it is reflecting from the order, which was conducted behind the back of petitioner and based on the said enquiry report, Annexure P-1 order is passed terminating service of petitioner. He contended that order has been passed under the provisions of Rule 10(9) of the Chhattisgarh Civil Services (Classification Control and Appeal) Rules, 1966 (for short "CCS Rules, 1966) which provides for the punishment. It is not a case

that petitioner has pleaded guilty or accepted allegation but in reply he has denied it, in categorical terms. Petitioner is a confirmed and permanent government employee and therefore if any action is taken under the service rules, then enquiry is to be conducted as per Rule 14 of the CCS Rules, 1966, which is not done. Therefore, there is violation of principles of natural justice.

Learned State counsel submits that as the allegation against petitioner is of obtaining employment by way of forged documents, there is no necessity of conducting of any enquiry.

Taking into consideration facts and circumstances of the case, contents of order Annexure P-1, wherein petitioner who was employed in the year 2007, was confirmed and as stated presently promoted on the post of Headmaster, purely as an interim measure, it is directed that effect and operation of impugned order Annexure P-1 dated 06.01.2026 shall remain stayed, till the next date of hearing.

List this case along with **WPS No. 683 of 2026.**

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge