



2026:CGHC:21090

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 3896 of 2026**

**1** - Harish Kumar S/o Namdeo Aged About 33 Years Presently Working As Lecturer (Commerce) At Govt. Higher Secondary School, Dahdaha, Block Kurud, District Dhamtari Chhattisgarh

**2** - Chakradhar Patel S/o Tejram Patel Aged About 36 Years Presently Working As Lecturer (Commerce) At Govt. Higher Secondary School, Devgaon, Block Baramkela, District Sarangarh-Bilaigarh Chhattisgarh

**3** - Nandkumar Sahu S/o Kalaram Sahu Aged About 39 Years Presently Working As Teacher (English) At Govt. Middle School, Tandipar, Block Sarangarh, District Sarangarh-Bilaigarh Chhattisgarh

**4** - Rajesh Kumar S/o Puran Singh Aged About 39 Years Presently Working As Teacher (Biology) At Govt. Middle School, Hatkongera, Block Kanker, District Uttar Bastar Kanker Chhattisgarh

**5** - Radheshyam S/o Girwar Ram Aged About 35 Years Presently Working As Teacher (Mathematics) At Govt. Middle School, Kohkatola, Block Narharpur, District Uttar Bastar Kanker Chhattisgarh

**6** - Gautam Kumar Shori S/o Subelal Shori Aged About 39 Years Presently Working As Lecturer (Chemistry) At Govt. Higher Secondary School, Sangam, Block Koylibeda, District Uttar Bastar Kanker Chhattisgarh

**7** - Gopal S/o Kheduram Aged About 37 Years Presently Working As Lecturer (Commerce) At Govt. Higher Secondary School, Nari, Block Kurud, District Dhamtari Chhattisgarh

**... Petitioner(s)****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, Indravati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

3 - Joint Director Education Division Bastar, District Bastar Chhattisgarh

4 - District Education Officer Uttar Bastar Kanker, District Uttar Bastar Kanker Chhattisgarh

... Respondent(s)

(Cause title is taken from CIS)

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For Petitioners : Mr. Rupendra Kumar Dewangan, Advocate

For Respondents-State : Mr. Vivek Verma, Govt. Advocate

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**SB: Hon'ble Shri Parth Prateem Sahu, Judge**

**Order on Board**

**06/05/2026**

1. Petitioners have filed this writ petition seeking following reliefs:-

*“10.1. That, this Hon'ble Court may kindly be pleased to call for the entire records in relates to the case of the petitioners from the possession of respondents for its kind perusal.*

*10.2 That, this Hon'ble Court may kindly be pleased to direct the respondents particularly the respondent no.4 to refund of the amount (one month salary) to the petitioners with interest @ 18% per annum, which was deposited by them while tendering of technical resignation within a stipulated period of 15 days.*

*10.3 That, this Hon'ble Court may kindly further be pleased to direct the respondents to consider and decide the pending representation (annexure-P/6) within a period of 15 days with reasoned and speaking order.*

*10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief/relief's in favour of the petitioners, which the Hon'ble Court*

*deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioners. ”*

2. Learned counsel for the petitioners submits that petitioners while employed on the post of Assistant Teacher LB participated in the recruitment proceeding for the post of Teacher in which petitioners became successful and pursuant to the appointment order issued, they have tendered technical resignation to join the new post. Technical resignation submitted by the petitioners was accepted subject to their deposit one month's salary and the petitioners were permitted to join on the newly appointed post (Teacher). He contended that in the fact of the case petitioners were not required to deposit salary of one month as petitioners while working in the same department has been appointed on the superior post by the same department. However, pursuant to the direction issued by the respondent No.4, petitioners were forced to deposit one month salary as petitioners have to join the post within the stipulated period. He submits that according to law petitioners were not required to deposit one month's salary, therefore, now petitioners have submitted application/representation before respondent No.4 to return that one month's salary which the petitioners have deposited at the time of tendering technical resignation. The application/representation submitted by the petitioners are not considered and decided therefore, direction be issued to

respondent No.4 to consider and take decision on the representations dated 01.08.2025, 19.08.2025 and 05.08.2025 at the earliest.

3. Counsel for the State submits that as petitioner is not pressing this petition on merits and only seeking a direction to respondent No.4 to take decision on pending representation, he is having no objection to the limited prayer made.
4. On due consideration of the submission of learned counsel for respective parties, the writ petition at this stage is disposed of directing the respondent No.4 to consider and take decision on the application/representation submitted by the petitioners as mentioned above in accordance with law, on its own merits expeditiously preferably within further period of 3 months from the date of receipt of order.
5. Petitioners are at liberty to file fresh representation before the respondent No.4 and in the event, such representation is submitted, concerned authority shall consider and take decision on the same also along with pending representations as ordered above.
6. With the aforesaid observation and direction, this writ petition stands **disposed of**.

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