



2026:CGHC:24702

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 4556 of 2026**

Smt Anju Jaiswal W/o Amit Kumar Jaiswal Aged About 41 Years Working On The Post Of Assistant Teacher, Presently Suspended And Attached In The Office Of Block Education Officer- Ramchandrapur, Distt- Balrampur- Ramanujganj (C.G.)

Petitioner(s)**versus**

- 1** - State Of Chhattisgarh Through- The Secretary, Department Of School Education Mahanadi Bhawan Atal Nagar Nava Raipur Distt- Raipur- (C.G.)
- 2** - Director Directorate Of Public Instruction, Indrawati Bhawan, Atalnagar Nava Raipur Distt- Raipur (C.G.)
- 3** - Joint Director- Education Surguja Division- Ambikapur Distt- Surguja (C.G.)
- 4** - Collector- Balrampur Distt- Balrampur- Ramanujganj (C.G.)
- 5** - District Education Officer Balrampur Distt- Balrampur- Ramanujganj (C.G.)

Respondent(s)**(Cause-title taken from Case Information System)**

For Petitioner(s)	: Mr. A.N. Pandey, Advocate
For Respondent(s)	: Ms. Akanksha Verma, PL



(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

18/06/2026

1. The present writ petition has been filed for following reliefs:-

10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent No.5 to consider the case of the petitioner to revoke the suspension of the petitioner in light of judgment passed by the Hon'ble Apex Court in case of *Ajay Kumar Choudhary v. Union of India & Others*, 2015 (7) SCC 291 within stipulate period.

10.2 Any other relief or reliefs may also be granted to the petitioner which this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

2. Learned counsel for the petitioner submits that the petitioner is working as an Assistant Teacher and was posted at Government Primary School, Bachbaharipara, Block Rajpur, District Balrampur-Ramanujganj since 01.03.2017. He submits that under the rationalization process, the petitioner was declared surplus and transferred vide order dated 04.06.2025 to Government Primary School, Wadrafnagar, District Balrampur-Ramanujganj. Being aggrieved, the petitioner had earlier approached this Court and pursuant to the order passed therein, submitted representations before the competent authorities challenging the transfer order. It is submitted that while the matter was under consideration, the petitioner was issued a show-cause notice and, thereafter, was placed under suspension vide order dated 24.12.2025.



Learned counsel further submits that although a charge-sheet was issued on 02.02.2026, no further progress has been made in the departmental proceedings and the suspension continues beyond ninety days which is unsustainable in law. However, learned counsel would submit that for the present this petition may be disposed of reserving liberty to the petitioner to raise her grievances before the respondent No.2 and the said authority may be directed to consider and decide the same in accordance with law.

3. Learned State counsel submits that if fresh representation is submitted by the petitioner, the same shall be examined and decided by the competent authority in accordance with law, keeping in view the applicable circulars/instructions of the State Government as well as the law laid down by the Hon'ble Supreme Court, within a reasonable period.
4. Heard learned counsel for the parties and perused the material available on record.
5. Considering the limited prayer made by learned counsel for the petitioner and without expressing any opinion on the merits of the case, this petition is disposed of with a direction to the petitioner to file a fresh representation raising the grievances before the respondent No.2 within a period of 15 days from today and thereafter the respondent No.2 to consider and decide the representation/appeal taking into consideration all relevant facts and applicable provisions, as expeditiously as possible, preferably within a period of 30 days from the date of receipt of representation along with a certified copy of this order. The decision so



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taken shall be communicated to the petitioner forthwith.

6. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and the competent authority shall take an independent decision strictly in accordance with law.
7. With the aforesaid observation and direction, the writ petition stands **disposed of.**

Sd/-
(BIBHU DATTA GURU)
JUDGE

Rahul