



2026:CGHC:3461

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5427 of 2022

- 1** - Shri. Fuljencius Kujur S/o Shri Late Biro Kujur Aged About 63 Years R/o Makan No. 155, Ward No. 02, Baratoli Post Ghughari, Jashpur, Chhattisgarh.
- 2** - Shri Athnas Kujur S/o Mityas Kujur Aged About 69 Years R/o Makan No. 100, Ward No. 014, Betara, Post Rengale, Jashpur, Chhattisgarh.
- 3** - Smt. Jasinata Kujur W/o Supriel Kujur Aged About 62 Years R/o Semardih, Post Bhitgara, Jashpur, Chhattisgarh.
- Smt. Domnica Tirkey W/o Pratap Tirkey Aged About 66 Years R/o Makan No. 161, Ward No. 10, Basadih Post Saraipani, Jashpur, Chhattisgarh.
- 5** - Ku. Prafulla Toppo D/o Johan Toppo Aged About 66 Years R/o Saraipali, Jashpur, Chhattisgarh.
- 6** - Shri. Sylverius Lakra S/o Simon Lakra Aged About 62 Years R/o Chruch Road, Ginabahr, Jashpur, Chhattisgarh.
- 7** - Smt. Felctia Xalxo, W/o Philmon Xalxo Aged About 65 Years R/o The Bagicha, Rupsera P.O. Raikera, Jashpur, Chhattisgarh.
- 8** - Smt. Fabiya Kujur, W/o Emanuel Kujur Aged About 65 Years R/o Makan No. 110, Ward No. 08, Besan, Post Musgutri, Jashpur, Chhattisgarh.
- 9** - Shri Telesphore Ekka S/o Markus Ekka Aged About 73 Years R/o Makan No. 115, Ward No. 09, Batupara Gudlu The Bagicha Post Kurrog, Jashpur, Chhattisgarh.
- 10** - Smt. Philomina Xaxa W/o Fuljence Aged About 61 Years R/o Ward No. 01, Groto Line, Post Kunkuri, Jashpur, Chhattisgarh.
- 11** - Shri Nabor Toppo S/o Simon Toppo Aged About 63 Years R/o Gholeng, Jashpur, Chhattisgarh.
- 12** - Shri Manuel Lakra S/o Elias Lakra Aged About 67 Years R/o Rupesh, Patrol, Jashpur, Chhattisgarh.
- 13** - Smt. Joshphina Tigga W/o Patras Kispotta Aged About 69 Years Patratoli, Jashpur, Chhattisgarh.

- 14** - Joshep Lakra S/o Birsai Lakra Aged About 69 Years Beersay, House No. 95 Girla, Pilkhi, Jashpur, Chhattisgarh.
- 15** - Theophil Kujur S/o Bandhu Phalus Aged About 63 Years R/o Painku, Jashpur, Chhattisgarh.
- 16** - Smt. Jonark Lakra S/o Pramod Lakra Aged About 64 Years R/o Jabla Hata, Tapkara, Jashpur Chhattisgarh.
- 17** - Xavier Ekka S/o Johan Ekka Aged About 65 Years R/o Jangalkona, Tapkara, Jashpur, Chhattisgarh.
- 18** - Ku. Tarcila Tigga D/o Late Khakhri Tigga Aged About 64 Years R/o Kothadih, Harri Mangora, Jashpur, Chhattisgarh.
- 19** - Ku. Lourencia Kujur D/o Andheriyas Kujur Aged About 64 Years R/o Asta Manhora, Jashpur, Chhattisgarh.
- 20** - Smt. Martha Tigga W/o Prakash Tigga Aged About 63 Years R/o Sukhapoker, Jamchunwa Kunkuri Chhattisgarh.

... Petitioner(s)

versus

- 1** - State Of Chhattisgarh Through The Secretaty, Department Of Shool Education, Mantralaya Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh.
- 2** - The Director, Directorate Of Public Instructions, Jashpur, Chhattisgarh.
- 3** - District Education Officer, District - Jashpur, Having Its Office At Purani Toli, Jashpur, Chhattisgarh.

... Respondent(s)

For Petitioner(s)	:	Mr. Prashant Sahu, Adv on behalf of Mr. Sharad Mishra, Adv
For Respondent(s)	:	Ms. Shailja Shukla, G. A.

(Hon’ble Shri Justice Sachin Singh Rajput)

Order on Board

20/01/2026

1. Default(s) as pointed out by the Registry is ignored.
2. Following relief(s) has been claimed in this writ petition:-
 - (1) That, this Hon’ble Court may kindly be enough to call for the records of case of the petitioners from the respondents.
 - (2) That, this Hon'ble Court may be kind enough to allow the present writ petition by issuing appropriate writ/ direction including the writ of mandamus and directing the respondents to extend the benefits of the pension to the petitioners in the interest of justice.
 - (3) That, this Hon'ble Court may be kind enough to issue appropriate writ/ order/ direction including the writ of mandamus directing the respondents particularly

respondent No. 1 to provide grant in aid to the institution of the petitioners for payment of special grant for pension to the petitioners in the interest of justice.

(4) Any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioners, in the interest of justice.

3. Learned counsel for the petitioners submits that the petitioners who were working with the Government aided Educational Institutions are seeking the above stated relief(s). He further submits that the service condition of the petitioners are at par with the Government employees. Therefore, this writ petition has been filed.
4. Opposing the submissions, learned counsel for the respondent/ State submits that the issue involved in this writ petition has come up before this Court in WPS No. 2789 of 2017 and other connected matters and the Hon'ble Court has dismissed those writ petitions having identical issue involved.
5. This preposition could not be disputed by learned counsel for the petitioners.
6. In view of the above, this Court in WPS No.2789 of 2017 observed as thus:-

“Having considered the entire facts and circumstances of the case, this Court is of the considered view that in absence of particular rules, the State cannot be directed to make rules by extending the pensionary benefits to the retired teachers/ employees of the aided schools at par with the teachers/ employees of the State Government.

In the result, all the petitions sans substratum, are liable to be and are hereby dismissed. No order as to cost(s).”

7. Since the issue raised in this writ petition has already been dealt with and decided against the petitioners therein in WPS No. 2789 of 2017. Therefore, the present writ petition is also dismissed in light of the order passed in WPS No.2789 of 2017.
8. All pending applications stand disposed of.

Sd/-

(Sachin Singh Rajput)

Judge

Parul