



CGHC010264362019



2026:CGHC:31561

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6101 of 2019

Smt. Neeta Sahu, Aged about 31 years, W/o Shri Maheshwar Prasad Sahu, Occupation Assistant Teacher (Panchayat), R/o Village Bhathari, Tehsil Mungeli, Police Station Jarhagaon, District Mungeli, Chhattisgarh.

... Petitioner

versus

1. State of Chhattisgarh, through Secretary, Government of Chhattisgarh, Panchayat and Rural Development Department, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Secretary, Government of Chhattisgarh, Department of School Education, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
3. Director, Public Instructions, Chhattisgarh, 1st Floor, 3rd Block, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
4. Collector, Bemetara, Tehsil and District Bemetara, Chhattisgarh.
5. Collector, Mungeli, Tehsil and District Mungeli, Chhattisgarh.
6. Chief Executive Officer, Janpad Panchayat Saja, Tehsil Saja, District Bemetara, Chhattisgarh.
7. Chief Executive Officer, Janpad Panchayat Mungeli, Tehsil And District Mungeli, Chhattisgarh.
8. Block Education Officer, Saja, Tehsil Saja, District Bemetara, Chhattisgarh.

... Respondents

For Petitioner

: Mr. Divy Jha, Advocate.



For Respondents No.1 to 5 & 8 : Mr. Amit Buxy, Deputy Government Advocate.

Single Bench:-
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

23/07/2026

1. The petitioner by way of this writ petition has questioned the initiation of departmental enquiry against her vide Annexure P-1 holding that she had submitted forged/false certificate relating to games/sports on the ground that on two earlier occasions she has been terminated on the same ground, however, her termination has been quashed.
2. Mr. Divy Jha, learned counsel appearing on behalf of the petitioner, would submit that firstly, the petitioner was terminated on 11-7-2008 which she along with other contenders had challenged before this Court by filing WPS No.3881/2008 (Sanjeev Tiwari and others v. State of Chhattisgarh and others) and their termination was quashed by this Court on 21-7-2008 and thereafter, again the petitioner herein was terminated which she challenged vide WPS No.4387/2017 (Smt. Neeta Sahu v. State of Chhattisgarh and others) and her termination order was cancelled by the Janpad Panchayat, Saja by resolution dated 12-10-2017. Mr. Jha, learned counsel for the petitioner, would further submit that now, again, the petitioner has been subjected to departmental enquiry on the same ground under which her termination has been cancelled on two earlier occasions



which is unsustainable and bad in law and as such, the writ petition deserves to be allowed.

3. On the other hand, Mr. Amit Buxy, learned Deputy Government Advocate appearing on behalf of the State/respondents No.1 to 5 and 8, would oppose the writ petition and support the impugned action of initiating departmental enquiry against the petitioner.
4. I have heard learned counsel for the parties and considered their rival submissions made herein-above and also gone through the record with utmost circumspection.
5. True it is that first the petitioner herein along with other contenders/writ petitioners was terminated on the ground that the certificate produced by them was false which the Court set aside on 21-7-2008 and thereafter, again the petitioner was terminated which she challenged, however, by resolution dated 12-10-2017, the Janpad Panchayat, Saja has cancelled her termination order dated 11-1-2017 as held by a coordinate Bench of this Court in WPS No.4387/2017 (Smt. Neeta Sahu v. State of Chhattisgarh and others), decided on 17-1-2018. Now, vide order dated 17-7-2019, the Janpad Panchayat, Saja had issued charge-sheet against the petitioner which she had challenged in the instant writ petition.
6. In that view of the matter, since the petitioner's termination had earlier been cancelled on two occasions, now, the subsequent charge-sheet issued against her runs contrary to the decisions rendered by this Court on 21-7-2008 and 17-1-2018, as the petitioner cannot be



subjected to departmental enquiry after her termination having been quashed on the same ground by the competent authority.

7. For the foregoing reasons, the impugned charge-sheet dated 17-7-2019 (Annexure P-1) issued against the petitioner by the Chief Executive Officer, Janpad Panchayat, Saja is hereby quashed and the petition is allowed to the extent indicated herein-above. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma