



2026:CGHC:6794



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6441 of 2023

1 - Devnarayan S/o Shri Bechu Singh Aged About 36 Years Caste - Gond, R/o Village Odgi, Post Office And Tahsil Odgi, District Srajpur (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through - The Secretary, Department Of Scheduled Caste And Scheduled Tribe Development, Mahanadi Bhawan, Naya Raipur (C.G.)

2 - The Collector Surajpur, District Surajpur (C.G.)

3 - The District Education Officer District Surajpur (C.G.)

4 - The Block Education Officer Block - Odgi, Tahsil And Odgi, District Surajpur (C.G.)

5 - The Principal Government Higher Secondary School, Odgi, District Surajpur (C.G.)

... Respondents

(Cause-title taken from the Case Information System)

For Petitioner :- Mr. Ashok Kumar Shukla, Advocate along with
Mr. Ravi Singh, Advocate

For State :- Mr. Arpit Agrawal, P.L.



SB-Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

10.04.2026

1. The petitioner has filed this Writ Petition seeking following reliefs:-

“10.1. This Hon'ble Court may graciously be pleased to issue a writ of mandamus / certiorari or of like nature to quash the impugned order dated 26.02.2021 (Annexure-P/1) with further direction to reinstate the service of petitioner with all consequential benefits.

10.2. Any other relief, which is deemed fit and proper may also be awarded to the Petitioner including the cost of the petition.”

2. At the outset, learned counsel for the parties submit that the issue involved in the present writ petition stands squarely covered by the judgment rendered by the co-ordinate Bench of this Court in **WPS No.3981 of 2012 (Rameshwar Prasad Rajwasr and others vs. State of Chhattisgarh and others)** and other bunch of petitions decided on 09.09.2015. It is jointly prayed that the present writ petition may also be disposed of in terms of the observations and findings recorded therein. The relevant paragraphs of the said judgment are reproduced below:—

“7.Upon hearing learned counsel for the parties, it would appear that even if the



respective principals/head masters were not informed or authorized to make appointment, the fact remains that the State Government had earlier issued communications to the effect that there is no restriction for appointing part time sweepers. It has not been disputed by the respondents that the petitioners were infact appointed by the respective principals/head masters prior to issuance of the order (Annexure-P-1) and the order (Annexure-P-7). Once the appointments have been made, even on part time basis, mass cancellation of appointments, without there being any specific individual allegation of corruption or nepotism is not permissible. At the same time, if any part time sweeper is not attending duties as he belongs to some other village or is otherwise not efficient in his work, it always remains open for the concerned head of the department or the appointing authority to initiate action, as the petitioners have no right to hold the post, being only part time sweepers.

8.For the foregoing, all the writ petitions are disposed of with a direction that the petitioners shall not be discontinued from service without giving them any opportunity of hearing. In the event, any of the petitioners is not performing duties to the satisfaction of the authorities, the action may be taken against such part time sweeper, in accordance with the principles of natural justice as the petitioners have no right to hold the post. Till the competent authority



initiates any proceeding by issuing show cause notice to the petitioners, all the petitioners shall continue on the post. ”

3. Since the grievance of the petitioner is identical to the one considered in **WPS No.3981 of 2012 (Rameshwar Prasad Rajwasr and others vs. State of Chhattisgarh and others)** and other bunch of petitions decided on 09.09.2015 and the petitioner in the present case is also seeking the same relief, the writ petition is accordingly ***disposed of*** in terms of and in line with the aforesaid judgment.
4. Prima facie these petitioners also seem to be affected by the enmass termination while working in the same district and on similar consideration.
5. The petitioners, therefore, would also be entitled to similar benefits if their cases are similarly situated as the case of those petitioners who had earlier approached this Court and in whose favour, common order was passed in **WPS No.3981 of 2012 (Rameshwar Prasad Rajwasr and others vs. State of Chhattisgarh and others)** and other bunch of petitions decided on 09.09.2015.
6. In view of the above consideration, respondent No.3 – The District Education Officer, Surajpur shall individually examine the case of each of the petitioners and verify facts. If these petitioners are similarly situated as the petitioners in earlier batch of petitions,



which was decided on 9.9.2015, the benefits which have accrued to those petitioners and as ordered by this Court earlier in the case of **WPS No.3981 of 2012 (Rameshwar Prasad Rajwasr and others vs. State of Chhattisgarh and others)** and other bunch of petitions decided on 09.09.2015 shall also be granted to these petitioners.

7. Considering that the petitioners are very low-paid employee, The District Education Officer, Surajpur, shall complete the exercise within a maximum period of 90 days from the date of receipt of copy of this order.
8. If the petitioners' grievance are not redressed/fully redressed, they will be at liberty to revive their petitions, by way of fresh petition.
9. No order as to cost(s).

sd/-

**(Amitendra Kishore Prasad)
Judge**

Vishakha