



2026:CGHC:12925

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8709 of 2019**

1 - Smt. Preeti Bakre, W/o. Shri Vinay Bakre, Aged About 47 Years, R/o. Near Brihaspati Bazar, Bilaspur, District : Bilaspur, Chhattisgarh

2 - Avnish Kumar Soni, S/o. Shri J.R. Soni, Aged About 37 Years, R/o. Juna Bilaspur, Baniapara, Bilaspur, District : Bilaspur, Chhattisgarh

3 - Amrit Lal Narmada, S/o. Shri Pardesilal Narmada, Aged About 52 Years, R/o. Near Water Tank, Tarbahar, Bilaspur, District : Bilaspur, Chhattisgarh

4 - Dilip Kumar Sharma, S/o. Shri Malikram, Aged About 52 Years, R/o. Jorapara, Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh

--- Petitioners**versus**

1 - State Of Chhattisgarh, Through The Secretary, Department Of School Education, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh



2 - Director Public Instructions, Lok Shikshan Sanchalanaalay (DPI),
Indrawati Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

3 - District Education Officer Bilaspur, District Bilaspur, Chhattisgarh.

4- Chhattisgarh Shiksha Samiti, Through Its Secretary, Office
Chhattisgarh Higher Secondary School, Bilaspur, District : Bilaspur,
Chhattisgarh

--- Respondents

For Petitioners	: Mr. Sanjay Agrawal, Advocate
For Respondent No.1 to 3	: Mr. Rahul Tamaskar, Govt. Advocate
For Respondent No.4	: Mr. Khilendra Sahu, Advocate on behalf of Mr. Vivek Kumar Shrivastava, Advocate

WPS No. 9968 of 2019

Satyendra Kumar Jaiswal, S/o. Susheel Kumar Jaiswal, Aged About 39
Years, R/o. Vill. - Nimdha, Tehsil Marwahi, District Bilaspur,
Chhattisgarh. Posted- Bapa Higher Secondary School, Nimdha, Post -
Siksha Karmi Class-II (Teacher Anudan) Tehsil Marwahi, District
Bilaspur, Chhattisgarh.

---Petitioner

Versus

1 - State Of Chhattisgarh, Through The Secretary, Department Of School
Education, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur,
Chhattisgarh



2 – Director Public Instructions, Lok Shikshan Sanchalanaalay (DPI),
Indrawati Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

3 - District Education Officer, Bilaspur, District : Bilaspur, Chhattisgarh.

4 - Vanvasi Seva Mandal, Through Its Secretary, Office Mandla, District
Mandla, Madhya Pradesh.

--- Respondents

For Petitioner	:	Mr. Sanjay Agrawal, Advocate
For Respondents No. : 1 to 3	:	Mr. Rahul Tamaskar, Govt. Advocate

WPS No. 8771 of 2019

1 - Jamuna Kishor Sahu, S/o. Late Baldau Prasad Sahu, Aged About 46
Years, R/o. Village Birkona, Tahsil And District Bilaspur, Chhattisgarh.

2 - Manoj Kumar Kaushik, S/o. Shri G.P. Kaushik, Aged About 42 Years,
R/o. Village Birkona, Tahsil And District Bilaspur, Chhattisgarh.

3 - Santosh Kumar Sahu, S/o. Late K.R. Sahu, Aged About 52 Years, R/o.
Village Birkona, Tahsil And District Bilaspur, Chhattisgarh.

4 - Santosh Kumar Suryavanshi, S/o. Shri Baisakhu Ram Suryavanshi,
Aged About 46 Years, R/o. Village Birkona, Tahsil And District Bilaspur,
Chhattisgarh.

---Petitioners

Versus



1 - State Of Chhattisgarh, Through The Secreatry, Department Of School Education, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh.

2 - Director Public Instructions, Lok Shikshan Sanchalanalay (DPI), Indrawati Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

3 - District Eductation Officer, Bilaspur, District : Bilaspur, Chhattisgarh

4 - Birkona Shikshan Samiti, Through Its Secretary, Office Chhattisgarh Higher Secondary School, Birkona, District Bilaspur, Chhattisgarh.

--- Respondents

For Petitioners	:	Mr. Sanjay Agrawal, Advocate
For Respondents No.1 to 3	:	Mr. Rahul Tamaskar, Govt. Advocate
For Respondent No.4	:	Mr. Ashok Kumar Swarnakar, Advocate

(Single Bench)

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18.03.2026

1. These writ petitions are directed against the impugned order dated 30.09.2019 (Annexure P-1) by which the petitioners are directed to be reverted by canceling the approval granted on the promotional post of Shiksha Karmi Grade-II.



2. Learned counsels appearing for the petitioners would submit that no opportunity of hearing was afforded to the petitioners before passing the impugned order, therefore, the impugned order deserves to be quashed.
3. Learned counsels appearing for the respondents would support the impugned order and submit that the petition is liable to be dismissed.
4. I have heard learned counsel appearing for the parties and perused the documents meticulously.
5. The Supreme Court in the matter of **Rajnish Kumar Mishra & Others v. State of Uttar Pradesh & Others**¹ has held as under in para 17 :-

“17. As such, apart from the Circular issued by the Registrar General of the High Court, dated 5-11-2009, the appellants' cases were also required to be taken into consideration in view of the exception carved out in *Umadevi* [*State of Karnataka v. Umadevi*, (2006) 4 SCC 1 : 2006 SCC (L&S) 753]. We find that the Committee under the Chairmanship of the Additional District Judge had rightly submitted its report dated 12-7-2012 and the then District Judge had rightly passed the order of regularisation on 9-11-2012 granting regularisation from 1-6-2012. We find that while considering the representation of some of the employees for promotion, the successor in the office of the District Judge could not have annulled the order of the regularisation of the appellants which was done after following the proper procedure. The least that was required to be done was to

¹ (2019) 17 SCC 648



follow the principles of natural justice by giving an opportunity of being heard to the appellants. We find that the three orders passed by the District Judge dated 16-8-2014 also suffer from violation of the principles of natural justice.

6. Since the impugned order has been passed in violation of principles of natural justice, therefore, in light of the principles laid down in **Rajnish Kumar** (supra), the impugned order dated 30.09.2019 (Annexure P-1) is hereby quashed. The respondents are at liberty to proceed in accordance with law by giving proper opportunity of hearing to the petitioners. However, it is made clear that this Court has not expressed any opinion on the merits of the case and the respondents authority shall be at liberty to consider the case of the petitioners, on its own merits, strictly in accordance with law.
7. In view of the above, these writ petitions are allowed to the extent as indicated herein above.

Ashok

Sd/-
(Sanjay K. Agrawal)
Judge