



CGHC010482852025



2026:CGHC:44292-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 13036 of 2025**

- 1** - Dinesh Kumar Sahu S/o Shri Mukundi Ram Sahu Aged About 39 Years Presently Posted As Teacher Lb At Govt. Boys Middle School Narayanpur Distt. Narayanpur, Chhattisgarh. 494661
- 2** - Gajanand Pradhan S/o Shri Tularam Pradhan Aged About 38 Years Presently Posted As Teacher Lb Swami Atmanand Govt. English School Saraipali, Distt. Mahasamund, Chhattisgarh. 494661
- 3** - Mohan Lal Patel S/o Shri Chhedulal Patel Aged About 38 Years Presently Posted As Teacher Lb At Govt. Upper Primary School Borand, Distt. Narayanpur, Chhattisgarh. 494661
- 4** - Yogendra Nath Thakur S/o Shri Sadaram Thakur Aged About 43 Years Presently Posted As Assistant Teacher Lb At Govt. Boys Primary School Narayanpur Distt. Narayanpur, Chhattisgarh. 494661
- 5** - Bhutnath Yadav S/o Late Mohan Yadav Aged About 31 Years Presently Posted As Assistant Teacher Lb At Govt. Sages School Bakharupara, Narayanpur, Distt. Narayanpur, Chhattisgarh. 494661
- 6** - Smt. Sakuntalal Sahu W/o Jagjivan Ram Sahu Aged About 39 Years

Presently Posted As Assistant Teacher Lb At Govt. Primary School
Kumharpara Narayanpur Distt. Narayanpur, Chhattisgarh. 494661

--- **Petitioners**

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of School Education, Government Of Chhattisgarh, Mahanadi Bhawan, Atal Nagar, Distt. Raipur, Chhattisgarh.

2 - State Of Chhattisgarh Through Its Secretary, Department Of Law And Legislative Affairs, Government Of Chhattisgarh, Mahanadi Bhawan, Atal Nagar, Distt. Raipur, Chhattisgarh.

3 - Director Directorate Of Public Instruction Indravati Bhawan, Naya Raipur, Chhattisgarh.

4 - Joint Director Education Division, Durg, Chhattisgarh.

5 - Joint Director Education Division, Raipur, Chhattisgarh.

6 - Joint Director Education Division, Bastar, Chhattisgarh.

7 - Joint Director Education Division, Surguja, Chhattisgarh.

8 - Joint Director Education Division, Bilaspur, Chhattisgarh.

9 - Director State Council Of Educational Research And Training Chhattisgarh, Shankar Nagar, Raipur, Chhattisgarh.

10 - Director National Council For Teacher Education Having Office At G-7, Sector 10, Dwarka Near Metro Station, New Delhi 110075.

--- **Respondents**

WPS No. 13690 of 2025

1 - Kamlesh Kumar Sahu S/o Komal Ram Sahu Aged About 41 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Saragaon, Block Chhura, District Gariyabandh Chhattisgarh

2 - Deepesh Kumar Dewangan S/o Chhabi Ram Dewangan Aged About 40 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Khadma, Block Chhura, District Gariyaband Chhattisgarh

3 - Smt. Manisha Soni W/o Manoj Kumar Soni Aged About 37 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Gopalpur, Block Mahasamund, District Mahasamund Chhattisgarh

---**Petitioner(s)**

Versus

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

2 - State Of Chhattisgarh Through The Secretary, Department Of Law And Legislative Affairs, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District Raipur Chhattisgarh

3 - National Council Of Teacher Education (N.C.T.E.) Through The Secretary/ Chairman, National Council Of Teacher Education (N.C.T.E.), G-7, Sector-10, Dwarka, Landmark - Near Metro Station, New Delhi - 110075 India

4 - Director Directorate Of Public Instructions, Indrawati Bhaan, Atal Nagar Nawa Raipur, District Raipur Chhattisgarh

5 - State Council Of Education Research And Training Through Its Director, Shankar Nagar, Raipur, District Raipur Chhattisgarh

6 - Joint Director (Education) Education Division Raipur, District Raipur Chhattisgarh

7 - Joint Director (Education) Education Division Bilaspur, District Bilaspur Chhattisgarh

8 - Joint Director (Education) Education Division Durg, District Durg Chhattisgarh

9 - Joint Director (Education) Education Division Bastar, District Bastar Chhattisgarh

10 - Joint Director (Education) Education Division Surguja, District Surguja Chhattisgarh

--- Respondents

For Petitioners	: Mr. Devashish Tiwari, Adv. (through VC) with Mr. Shiv Sevak, Adv. and Mr. Govind Prasad Dewangan, Adv.
For Respondents/State	: Mr. R.K. Gupta, Addl. Adv. General.

Hon'ble Mr. Krushna Ram Mohapatra, Chief Justice

Hon'ble Mr. Santosh Sharma, Judge

Order on Board

Per : Krushna Ram Mohapatra, Chief Justice

13-10-2026

- 1 Heard learned counsel for the parties.
- 2 The petitioners, in these writ petitions, pray for the following reliefs:-

“1. Issue a writ of declaration declaring that Column 3 of Serial No. 15, 17 and 19 of Schedule IV read with Rules 14 and 15 of the Chhattisgarh School Education

Service (Educational and Administrative Cadre) Recruitment and Promotion Rules 2019 is unconstitutional, ultra virus the Right of Children to Free and Compulsory Education Act, 2009, NCTE notification dated 23.08.2010, and the binding directions of the Hon'ble Supreme Court in The State of Anjuman Ishaat-E-Taleem Trust v. Maharashtra & Others (2025 INSC 1063);

2. Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents to strictly comply with the mandatory requirement of Teacher Eligibility Test (TET) qualification for promotion of teachers as prescribed under the RTE Act, 2009, NCTE notification, and Hon'ble Supreme Court directions;

3. Declare the promotion process initiated after pronouncement of judgment in Anjuman Ishaat-E-Taleem Trust v. The State of Maharashtra & Others (2025 INSC 1063) ie. 01.09.2025 under the Impugned Rules without ensuring TET qualification compliance as illegal, arbitrary, and contrary to law, and consequently quash and set aside such promotion processes/orders;

5. Award costs of this petition in favour of the Petitioner; and

6. Pass any other order(s) this Hon'ble Court deems fit and proper in the interest of justice”.

- 3 Learned counsel for the petitioners, at the outset, submit that, the Chhattisgarh School Education Service (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019 has already been repealed. Thus, they pray for withdrawal of the writ petitions seeking liberty to file a fresh one, if any cause of action still survives.
- 4 Mr. Gupta, learned Addl. Adv. General appearing for the State does not have any objection to the same.
- 5 In view of above, these writ petitions are disposed of as withdrawn with liberty to the petitioners to file a fresh writ petition, if any cause of action still survives.

Sd/-

(Santosh Sharma)
Judge

Sd/-

(Krushna Ram Mohapatra)
Chief Justice

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