CGHC010373502026 2026:CGHC:44173

RUCHI YADAV Digitally signed by RUCHI YADAV

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5233 of 2026

1 - Gouri Jaiswal D/o Sanjay Jaiswal Aged About 20 Years R/o Village - Kateli, Tahsil - Sarangarh, District Sarangarh-Bilaigarh Chhattisgarh

... Petitioner(s)

versus

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

2 - The Director Directorate Of Public Instruction, Indravati Block, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

3 - The Joint Director Education Division, Bilaspur, District Bilaspur Chhattisgarh

4 - The District Education Officer Bilaspur, District Bilaspur Chhattisgarh

5 - Navratan Jaiswal S/o Sukhdev Prasad Jaiswal Working As Lecturer (L.B.), Govt. High School, Son, Block - Masturi, District Bilaspur Chhattisgarh

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Aakash Aahuja, Advocate
For Respondent/State	:	Dr. Arham Siddiqui, P.L. appears on advance copy

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

13/10/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> "10.1 That, this Hon'ble Court may kindly be pleased to call the records of case from the respondents for kind perusal.
>
> 10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby directing the concerned respondent authority to consider and decide the complaint/representation/application of petitioner, forthwith, in accordance with law.
>
> 10.3 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given."

2. Facts of the case, in brief, are that respondent No.5 is working on the post of Lecturer (L.B.) and is presently posted at Government High School, Son, Block Masturi, District Bilaspur (C.G.). It is alleged that respondent No.5 secured appointment in government service by submitting forged and fabricated documents relating to his educational qualifications and disability. It is further alleged that, at the time of his appointment in government service, respondent No.5 concealed the fact that he has four children, out of whom two were born after 26.01.2001. It is further submitted that, upon coming to know about the alleged illegal appointment of respondent No.5 under the disability quota on the basis of forged and fabricated school mark-sheets and the alleged suppression of the fact regarding the birth of his four children, the petitioner submitted several complaints before the concerned authorities. On the basis of the said complaints, respondent No.2

issued a charge-sheet to respondent No.5 in respect of the alleged concealment of the fact regarding the birth of his four children and thereafter directed respondent No.3 to conduct an enquiry against respondent No.5. Pursuant thereto, an enquiry was conducted by respondent No.3 only in respect of the allegation relating to concealment of the birth of four children and, upon completion of the enquiry, respondent No.3 submitted an enquiry report before respondent No.2. On the basis of the said enquiry report, respondent No.2, vide order dated 03.04.2025, dismissed respondent No.5 from the post of Lecturer (L.B.).

3. Aggrieved by the order dated 03.04.2025, respondent No.5 preferred Writ Petition (S) No.2643/2025 before this Court. Vide order dated 22.04.2025, this Court allowed the said writ petition and directed the concerned authorities to reinstate respondent No.5 with continuity of service, but without back wages. It is further submitted that, although respondent No.5 was working on the post of Lecturer (L.B.), in the year 2019 he declared his annual income as Rs.60,000/- and obtained an income certificate to the said effect from the Office of the Tahsildar, Sarangarh. The petitioner has submitted several representations, complaints and applications before the concerned authorities seeking inspection of the documents and certificates submitted by respondent No.5 at the time of securing appointment to the post of Shiksha Karmi Grade-I/Lecturer (L.B.) and for taking appropriate disciplinary action against him. However, despite the aforesaid representations and complaints, no action has been taken by the concerned authorities till date. Hence, the present petition.

4. Learned counsel appearing for the petitioner submits that the inaction on the part of the respondent authorities is illegal, arbitrary and discriminatory. He submits that the petitioner has submitted several representations, complaints and applications before the concerned authorities seeking inspection of all the documents and certificates submitted by respondent No.5 at the time of securing appointment to the post of Shiksha Karmi Grade-I/Lecturer (L.B.) and for taking appropriate disciplinary action against respondent No.5; however, no action has been taken by the concerned authorities till date. It is further submitted that respondent No.5, while working on the post of Lecturer (L.B.), declared his annual income as Rs.60,000/- in the year 2019 and obtained an income certificate to the said effect from the Office of the Tahsildar, Sarangarh. It is also submitted that, earlier, respondent No.2 had taken action against respondent No.5 only in respect of the alleged concealment of the birth of his four children and, on the basis of the said allegation, respondent No.5 was dismissed from service. Aggrieved by the said order of dismissal, respondent No.5 preferred a writ petition before this Court and was thereafter reinstated in service pursuant to the order passed by this Court.

5. Learned State counsel submits that pursuant to the earlier complaint against respondent No.5, an enquiry was conducted by the competent authorities, pursuant to which respondent No.5 was removed from service. However, the said order was subsequently set aside by this Court and respondent No.5 was directed to be reinstated in service. He further submits that the documents of respondent No.5 had already been duly verified at the time of his appointment and no discrepancy or

irregularity was found therein. The present allegations, therefore, are belated and do not warrant any further direction.

6. Having heard learned counsel for the parties and having perused the material available on record, this Court proceeds to consider the matter.

7. From a perusal of the record, it appears that the petitioner is the complainant who has made allegations against respondent No.5. Earlier, on the basis of certain complaints, an enquiry was conducted against respondent No.5, pursuant to which he was removed from service. Aggrieved by the said order of removal, respondent No.5 preferred WPS No.2643 of 2025 before this Court. This Court, after considering the matter, vide order dated 22.04.2025, directed his reinstatement in service without back wages. It further appears that, subsequent to the said order of reinstatement, the petitioner/complainant started making complaints against respondent No.5 before the concerned police authorities as well as the competent departmental authorities.

8. From a perusal of the complaints and the nature of the allegations made therein, it appears that the petitioner is primarily aggrieved by the appointment of respondent No.5 and seeks his removal from service. Respondent No.5 was appointed as far back as in the year 2011 and no complaint appears to have been made by the petitioner either prior to his appointment or for a considerable period thereafter. The complaints in question have been made only subsequently, particularly after the reinstatement of respondent No.5 pursuant to the order passed by this Court. The circumstances in which the complaints have

been made, therefore, raise a serious doubt regarding the bona fides of the petitioner.

9. It is further evident from the dates of the complaints that the petitioner commenced making such complaints immediately after the reinstatement of respondent No.5. Respondent No.5 was appointed in the year 2011 after due verification of his documents by the competent authorities and no anomaly was found at the relevant point of time. In such circumstances, a complaint made after an inordinate delay of about 15 years, particularly after the reinstatement of respondent No.5 pursuant to the order passed by this Court, cannot be directed to be considered in the manner sought by the petitioner.

10. Once respondent No.5 was appointed after due verification of his documents by the competent authorities and he has continued in service for about 15 years, a belated complaint of the nature made by the petitioner cannot be permitted to unsettle the appointment of respondent No.5, particularly when no material has been placed on record to demonstrate any illegality warranting interference at this stage. This Court is, therefore, of the considered view that the petitioner is not entitled to a direction to the concerned authorities to consider and decide such a belated complaint.

11. Accordingly, the present writ petition, being devoid of merit, is hereby **dismissed**.

Sd/-

(Amitendra Kishore Prasad)

Judge

Ruchi