CGHC010409982026 2026:CGHC:46529

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5392 of 2026

1 - Vimla Kushwaha D/o Shri Ramswaroop Kushwaha, Aged About 34 Years Assistant Teacher (L.B.)government Kanya Uchcha Madhyamik Vidyalaya, Pratappur, District Surajpur (C.G.) R/o Village Sirsi, Surajpur, District Surajpur (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Nava Raipur (Atal Nagar), District Raipur (C.G.)

2 - District Officer/additional Collector, Surajpur, District Surajpur (C.G.), Chairperson Of The District-Level Committee For The Sexual Harassment Of Women At Workplace / Office Of The District Officer

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

4 - Presiding Officer/ Chairperson, Leena Manjhi, Local Committee Constituted Under Section 6 Of The Act For District Surajpur (C.G.)

5 - Shri Bharat Nag, Government Girls Higher Secondary School, Sarhari, Pratappur, District Surajpur (C.G.).

... Respondent(s)

For Petitioner	**:**	Ms. Meena Shastri, Advocate
For State	**:**	Mr. Anil Pandey, GA

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

03/11/2026

1. The petitioner, in this Writ Petition, has prayed for the following reliefs:-

“10.1 That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of mandamus, or any other appropriate writ, order or direction, commanding Respondents to act upon and implement, within a time to be fixed by this Hon'ble Court, the recommendations of the Local Committee dated 11.11.2025 made under section 13(3) of the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013".

10.2 That, this Hon'ble Court may kindly be pleased to direct Respondent No.02 and 03 and the authority competent under the service rules, to initiate and complete within a time-bound period action against Respondent No.05 as misconduct in accordance with the service rules. applicable to him, as provided in section 13(3) of the Act.

10.3 That, this Hon'ble Court may kindly be pleased to direct Respondent No.04 to determine the amount of compensation payable to the petitioner under section 15 of the Act within a fixed period, or itself to determine it, and to direct respondent No. 02 and 03 to recover that amount from Respondent No.05 and pay it to the petitioner, failing which to recover it as arrears of land revenue as provided in section 13(3).

10.4 That, this Hon'ble Court may kindly be pleased to direct respondent No.02 and 03 to ensure that Respondent No.05 does not exercise any administrative supervisory control over the leave, salary, attendance or service record of the petitioner, and that the petitioner is not subjected to any adverse action by reason of her complaint.

10.5 That, this Hon'ble Court may kindly be pleased to award the costs of this petition to the petitioner.
10.6 That, any other relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case may also be granted to the petitioner."

2. Learned State counsel submits that pursuant to the order dated 27.10.2026 passed by this Court, instructions have been received from the concerned authority. He further submits that the District Education Officer, Surajpur, vide letter dated 29.10.2026, has recommended the transfer of respondent No. 5 in view of the allegations of sexual harassment levelled against him. He, therefore, submits that the present petition may be disposed of in view of the aforesaid recommendation.

3. Learned counsel for the petitioner submits that in view of the action taken by the concerned authority, the petitioner does not wish to press the present petition at this stage. However, she seeks liberty to avail appropriate legal remedies in future, if the need so arises.

4. Having considered the submissions made by learned counsel for the parties and particularly taking note of the letter dated 29.10.2026 issued by the District Education Officer, Surajpur, recommending the transfer of respondent No. 5, this Court is of the view that no further order is required to be passed in the present petition at this stage. However, the petitioner shall be at liberty to seek appropriate relief, including compensation, in accordance with law, after completion of the enquiry.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

6. With the aforesaid observations and directions, the present petition stands disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Priyanka