CGHC010427702026 2026:CGHC:46904

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7989 of 2026

1 - Roshan Kumar Gwal S/o Shri Goverdhan Singh Gwal Aged About 43 Years Teacher (L.B. - Science), Government Upper Primary School, Chichadi, Sankul Marangpuri, Block - Baderajpur, District - Kondagaon, Chhattisgarh.

... Petitioner

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of School Education, Government Of Chhattisgarh, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh – 492002

2 - Joint Director Education Division Bastar, Jagdalpur, District Bastar, Chhattisgarh.

3 - District Education Officer District Kondagaon, Chhattisgarh.

4 - Block Education Officer Block Baderajpur (Vishrampuri), District Kondagaon, Chhattisgarh.

5 - Block Education Officer Block Makdi, District Kondagaon, Chhattisgarh.

... Respondent(s)

For Petitioner	: Mr. Yogesh Yadav, Advocate
For Respondent/ State	: Mr. Vivek Verma, G.A.

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

05/11/2026

1. The present writ petition has been filed by the petitioner seeking following reliefs :-

> “(i) Issue a Writ of Certiorari or any other appropriate writ, order or direction, quashing/setting aside the Suspension Order No. 4655/2025 dated 23.12.2025 (Annexure P-1) passed by Respondent No. 2, being illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India;
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> (ii). Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondents to forthwith reinstate the Petitioner in service, with full salary and all consequential benefits, including continuity of service and seniority;
>
> (iii). In the alternative, direct Respondent No. 2 to consider and decide the Petitioner's representation received on 13.10.2026 (Annexure P-7) by a reasoned order within a time-bound period fixed by this Hon'ble Court;
>
> (iv). Pending final disposal of the writ petition, grant interim relief in terms of the accompanying Application for Interim Relief;
>
> (v). Award costs of the present writ petition in favour of the Petitioner; and
>
> (vi). Grant any other relief(s) as this Hon'ble Court may deem just, proper and equitable in the facts and circumstances of the case, in the interest of justice.”

2. Learned counsel for the petitioner submits that the petitioner, who is working as a Teacher and was posted at Government Upper Primary School, Chichadi, Block Baderajpur, District Kondagaon,

has been placed under suspension vide the impugned order dated 23.12.2025. It is submitted that respondent No. 2 passed the impugned suspension order by invoking the provisions of Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966, read with Rule 3 of the Chhattisgarh Civil Services (Conduct) Rules, 1965, on the ground that the petitioner had failed to join at his newly assigned place of posting. Thereafter, respondent No. 2 issued a charge-sheet dated 03.02.2026, alleging certain irregularities on the part of the petitioner and calling upon him to submit his reply to the charges levelled against him. Learned counsel submits that the petitioner submitted a detailed reply to the charge sheet; however, despite lapse of considerable time, neither has any departmental enquiry been initiated nor has the suspension order been revoked. He further submits that the petitioner has already submitted a representation dated 13/10/2026 (Annexure P-7) seeking revocation of the suspension order, but the same is still pending consideration before the competent authority. He, therefore, prays that a direction be issued to the concerned authority to consider and decide the said representation within a stipulated period.

3. Learned State counsel submits that if the representation submitted by the petitioner is pending consideration, the same shall be examined and decided by the competent authority in accordance with law, keeping in view the applicable circulars/

instructions of the State Government as well as the law laid down by the Supreme Court, within a reasonable period.

4. Heard learned counsel for the parties and perused the material available on record.

5. Considering the limited prayer made by learned counsel for the petitioner and without expressing any opinion on the merits of the case, this petition is disposed of with a direction to respondent No. 2 to consider and decide the petitioner's representation (Annexure P-7) in accordance with law, on its own merits, expeditiously, preferably within a period of 30 days from the date of receipt of a copy of this order.

6. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and the competent authority shall take an independent decision strictly in accordance with law.

7. With the aforesaid observation and direction, the writ petition stands disposed of. **SD/-**

(Bibhu Datta Guru)
JUDGE

Amardeeep