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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8013 of 2026

Smt. Mridula Sinha W/o Shri Manish Sinha Aged About 40 Years Teacher (L.B. - Science), Government Kasturba Gandhi Balika Awasiya Vidyalaya, Kondagaon, Block And District - Kondagaon, Chhattisgarh

Petitioner(s)

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 Kondagaon, District Kondagaon, Chhattisgarh

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

Respondent(s)

(Cause-title taken from CIS)

For Petitioner(s)	**:**	Mr. Yogesh yadav, Advocate
For Respondent(s)	**:**	Mr. Aditya Tiwari, PL

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

05/11/2026

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

> *(i). Issue a Writ of Certiorari or any other appropriate writ, order or direction, quashing/setting aside the Suspension Order No. 408/2026 dated 19.01.2026 (Annexure P-1) passed by Respondent No. 2, being illegal, arbitrary and violative of Articles 14, 15(3) and 21 of the Constitution of India.*
>
> *(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). Direct the Respondents to treat the period from 09.07.2025 to 04.01.2026 as sanctioned maternity leave for all purposes, and not to treat the same as absence or misconduct in any proceeding against the Petitioner;*
>
> *(iv). In the alternative, direct Respondent No. 2 to consider and decide the Petitioner's representation dated 20.07.2026 (Annexure P-12) by a reasoned order within a time-bound period fixed by this Hon'ble Court;*
>
> *(v). Pending final disposal of the writ petition, grant interim relief in terms of the accompanying Application for Interim Relief;*
>
> *(vi). Award costs of the present writ petition in favour of the Petitioner; and*
>
> *(vii). 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, while working as Teacher (L.B.-Science) at Government Kasturba Gandhi Balika

Awasiya Vidyalaya, Kondagaon, was placed under suspension vide order dated 19.01.2026, issued by respondent No. 2, under Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966, on the allegation of non-joining. Learned counsel submits that the petitioner was on duly sanctioned maternity leave from 09.07.2025 to 04.01.2026 and immediately upon expiry of the said leave, she reported for duty on 05.01.2026. However, without considering the aforesaid facts, the respondents placed her under suspension on the allegation of non-joining. It is further submitted that a charge-sheet was issued to the petitioner on 10.02.2026, to which she submitted her reply on 19.03.2026, explaining the circumstances in which she could not join the transferred place. Learned counsel further submits that the period of 90 days from the date of suspension expired on 19.04.2026, but no reasoned order extending the period of suspension was passed by the competent authority. He also submits that the petitioner submitted a representation dated 20.07.2026 seeking revocation of her suspension, which is still pending consideration before the competent authority. Despite the petitioner having remained under suspension for more than nine months, no decision has been taken on the said representation. Learned counsel, therefore, prays that an appropriate direction be issued to the competent authority to consider and decide the petitioner's 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 rules, circulars/instructions of the State Government as well as the law laid down by the Hon'ble Supreme Court, within a reasonable period.

4. I have 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 dated 20.07.2026 (Annexure P-12) 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

Rahul