



2026:CGHC:9196-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 135 of 2026**

- 1** - Anand Sagar Bisi S/o Narsingh Bisi Aged About 39 Years R/o Village Sondelela, Post And Tahsil Raigarh, District Raigarh Chhattisgarh.
- 2** - Lokesh Kumar Patel S/o Jagdish Prasad Patel Aged About 38 Years R/o Main Market, Katkaliya, District Raigarh Chhattisgarh.
- 3** - Nitesh Khandelwal S/o Rameshwar Prasad Khandelwal Aged About 47 Years R/o Ward No. 10, Manpur, District Rajnandgaon Chhattisgarh.
- 4** - Harsha Thawait D/o Gauri Shankar Thawait Aged About 35 Years R/o Ward No. 6, Madhuban Modi Para, Tahsil Raigarh, District Raigarh Chhattisgarh.

... Appellant(s)**versus**

- 1** - State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
- 2** - Commissioner Land Records State Of Chhattisgarh Indravati Bahwan, 1st Floor Block - 2, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.
- 3** - Director Land Records, State Of Chhattisgarh, Indravati Bahwan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.
- 4** - High Level Investigation Committee Through Shri K.D. Kunjam Special Secretary, Food Civil Supplies And Consumer Protection Department, Mantralay, Mahanadi Bahavan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.

5 - Devendra Rajput S/o Nawal Singh Rajput Aged About 33 Years R/o Ward No. 12, Keshtara, P.S. Bemetara, District Bemetara Chhattisgarh.

6 - Pramod Singh S/o Pokhan Singh Aged About 32 Years R/o Village Birampur, Rajputpara, Post And Tahsil Bemetara, District Bemetara Chhattisgarh.

7 - Sunder Lal Ghritlahare S/o Ubaran Das Ghritlahare Aged About 40 Years R/o Village Darri, Post And Tahsil Navagarh, District Bemetara Chhattisgarh.

8 - Chandraprakash S/o Bahorik Lal Sahu Aged About 32 Years R/o Ward No. 4, Kachari Para, District Bemetara Chhattisgarh.

9 - Dhaneshwar Prasad Ghritlahare S/o Ravidas Ghritlahare Aged About 35 Years R/o Village Jhal, Post And Tahsil Bemetara, District Bemetara Chhattisgarh.

10 - Anuradha Baghel D/o Govardhan Baghel Aged About 36 Years R/o Ward No. 7, Temri, District Bemetara Chhattisgarh.

11 - Nimesh Kumar Dhruw S/o Umeram Dhruw Aged About 34 Years R/o Village Amaldiha, Post And Tahsil Narayanpur, District Bemetara Chhattisgarh.

12 - Kamal Kumar Paikra S/o Samar Singh Paikra Aged About 34 Years R/o Village Haranmundi, Post Bakshi, District Korba Chhattisgarh.

13 - Sanjay Kumar Sahu S/o Gopal Prasad Sahu Aged About 37 Years R/o Village Darri, Kishna Vihar, Post And Tahsil Jamnipali, District Korba Chhattisgarh.

14 - Vinita Kujur W/o Rameshwar Prasad Patle Aged About 41 Years R/o Village Urga, Post And Tahsil Kurudmal, District Korba Chhattisgarh.

15 - Kavita Kumari D/o Umashankar Jatashankar Aged About 33 Years R/o Balgi Colony, Ward No. 46, District Korba Chhattisgarh.

16 - Archana Kanwar D/o Ram Singh Kanwar Aged About 34 Years R/o Village Gharipakhna, House No. 17, Post And Tahsil Pondi Uproda, District Korba Chhattisgarh.

17 - Harish Kumar Dubey S/o Bhupendra Lal Dubey Aged About 33 Years R/o Village Pali, Post And Tahsil Katghora, District Korba Chhattisgarh.

8 - Mohanlal Purame S/o Mithunram Purame Aged About 35 Years R/o Village Wako, Post And Tahsil Dighwadi, District Rajnandgaon Chhattisgarh.

19 - Rupesh Kumar Sahare S/o Tuka Ram Aged About 34 Years R/o Ward No. 2, House No. 23, Post And Tahsil Bhawsha, District Rajnandgaon Chhattisgarh.

20 - Surendra Kumar Ramteke S/o Nameshwar Ramteke Aged About 34 Years R/o Ward No. 7, House No. 30, Palebhatti, District Rajnandgaon Chhattisgarh.

21 - Chumman Lal Komre S/o Shivnath Singh Komre Aged About 34 Years R/o Ward No. 13, Post And Tahsil Manpur, District Rajnandgaon Chhattisgarh.

22 - Dharmendra Kumar Pausarya S/o Sukhdev Ram Pausarya Aged About 35 Years R/o Ward No. 10, Post And Tahsil Kakaipar, District Rajnandgaon Chhattisgarh.

23 - Thakurram Koshma S/o Aktu Ram Kosma Aged About 36 Years R/o House No. 201, Ward No. 9, Charbhata, District Rajnandgaon Chhattisgarh.

24 - Pramod Kumar Baghel S/o Jhikoo Ram Baghel Aged About 39 Years R/o House No. 185, Bettipara, Post And Tahsil Badekilepal, District Bastar Chhattisgarh.

25 - Ramvilas Yalam S/o Baswaiya Yalam Aged About 41 Years R/o Village Pusgudi, Post And Tahsil Bijapur, District Bijapur Chhattisgarh.

26 - Ramdas Markam S/o Dhanatkari Markam Aged About 33 Years R/o Village Karkapal, Post Hatkachora, District Bastar Chhattisgarh.

27 - Doman Singh Thakur S/o Panchu Ram Thakur Aged About 40 Years R/o Ward No. 5, Konta, District Sukma Chhattisgarh.

28 - Prafull Salam S/o Mansingh Salam Aged About 36 Years R/o Village Naimed, Nayapara, Post And Tahsil Bijapur, District Bijapur Chhattisgarh.

- 29** - Lokhnath Sinha S/o Karan Ram Sinha Aged About 49 Years R/o Village Junvani, Post And Tahsil Narherpur, District Bastar Chhattisgarh.
- 30** - Ravindra Kumar Pujari S/o Arjun Pujari Aged About 37 Years R/o Village Darapara, Post And Tahsil Bijapur, District Bijapur Chhattisgarh.
- 31** - Maheshwar Nag S/o Mukaram Nag Aged About 37 Years R/o Near Krishan Tent House, Sukma, Post And Tehsil Sukma, District Dantewada Chhattisgarh.
- 32** - Madkam Kosa S/o Madkam Ganga Aged About 40 Years R/o Village Arlampalli, Post And Tahsil Sukma, District Bastar Chhattisgarh.
- 33** - Pravir Chandra Negi S/o Kishan Kumar Negi Aged About 36 Years R/o House No. 246. Khaspara Near High School, Post And Tahsil Sukma, District Bastar Chhattisgarh.
- 34** - Shailendra Kumar Baidh S/o Sadhram Baidh Aged About 34 Years R/o Village Badedongar, Bazarpara, Post And Tahsil Badedongar, District (Kondagaon Chhattisgarh).
- 35** - Kailash Kumar Manjhi S/o Nilap Singh Manjhi Aged About 33 Years R/o Nayapara, Post And Tahsil Narayanpur, District Narayanpur Chhattisgarh.
- 36** - Ravindra Netam S/o Devnath Netam Aged About 37 Years R/o Village - Juganikalar, House No. 42, School Para, Gumdi, Post And Tahsil Kondagaon, District Kondagaon Chhattisgarh.
- 37** - Shiv Kumar Poyam S/o Chamru Ram Poyam Aged About 36 Years R/o Ward No. 16, Tahsil Kondagaon, District Kondagaon Chhattisgarh.
- 38** - Harish Chandra Rana S/o Amar Singh Rana Aged About 37 Years R/o Village Gudari Para Road, Post And Tahsil Bahigaon, Keskal, District Kondagaon Chhattisgarh.
- 39** - Pawan Kumar Netam S/o Charan Singh Netam Aged About 32 Years R/o Village Aamgaon, Post And Tahsil Kondagaon, District Kondagaon, Chhattisgarh
- 40** - Bharat Bhushan Singh S/o Komal Singh Aged About 40 Years R/o Village Pharasgaon, Post And Tahsil Kondagaon, District Kondagaon Chhattisgarh.

- 41** - Laleshwari Sahu D/o Mohit Kumar Sahu Aged About 33 Years R/o Village Haradula, House No. 146, Post And Tahsil Haradula, District Kanker Chhattisgarh.
- 42** - Darasvatti Bhuarya S/o Harishchandra Bhuarya Aged About 33 Years R/o Village Bargaon, Post And Tahsil Hatkondal, District Kanker Chhattisgarh.
- 43** - Prakash Singh Tirasuniya S/o Kamal Singh Tirasuniya Aged About 35 Years R/o Village Bansla, Post And Tahsil Bansla, District Kanker Chhattisgarh.
- 44** - Tukeshvar Kumar Bhuarya S/o Bisram Bhuarya Aged About 39 Years R/o Village Karmoti, Post And Tahsil Bhanupratappur, District Kanker Chhattisgarh.
- 45** - Bala Ram Jain S/o Vishu Ram Jain Aged About 50 Years R/o Ward No. 15, Gurunanak Ward, Tahsil Charama, District Kanker Chhattisgarh.
- 46** - Neeraj Yadav S/o Chandrashekar Yadav Aged About 43 Years R/o Village Girhola, Post And Tahsil Kanker, District Kanker Chhattisgarh.
- 47** - Mahattam Kumar Juri S/o Moti Lal Juri Aged About 45 Years R/o Ward No. 10, Post And Tahsil Charama, District Kanker Chhattisgarh.
- 48** - Jaiprakash Jain S/o Rameshwar Jain Aged About 33 Years R/o Ward No. 08, Post And Tahsil Korar, District Kanker Chhattisgarh.
- 49** - Mahendra Kumar Jain S/o Dilip Kumar Jain Aged About 46 Years R/o Village Singerbhatt, Post And Tahsil Kanker, District Kanker Chhattisgarh.
- 50** - Shiv Kumar Ratre S/o Vishwa Mohan Ratre Aged About 38 Years R/o Village Chapora, Ward No. 9, Post And Tahsil Raipur, District Raipur Chhattisgarh.
- 51** - Purushottam Sori S/o Yogendra Sori Aged About 34 Years R/o Village Burjabahar, District Gariyaban Chhattisgarh.
- 52** - Bhawendra Kumar Sahu S/o Lomas Ram Sahu Aged About 37 Years R/o Village Lofandi, Post Baltukri, District Gariyaband Chhattisgarh.
- 53** - Komal Ram S/o Gangu Ram Aged About 36 Years R/o Ward No. 3, Tahsil Sahaspur, District Raipur Chhattisgarh.

54 - Rawel Kumar S/o Jagsu Prasad Aged About 33 Years R/o Ward No. 16, House No. 86, Sulsuli, Tahsil Balrampur, District Balrampur Chhattisgarh.

55 - Preetam Kumar Bhagat S/o Krishan Ram Bhagat Aged About 36 Years R/o Ward No. 11, Kusmi, District Balrampur Chhattisgarh.

56 - Anup Kumar Toppo S/o Ramesh Ram Aged About 35 Years R/o Village Kamalpur, Tahsil Balrampur, District Balrampur Chhattisgarh.

57 - Mithlesh Netam S/o Rambharos Singh Aged About 36 Years R/o House No. 30 Atal Chock, Village Parsagudi, District Balrampur Chhattisgarh.

58 - Dushyant Bhagat S/o Mangal Sai Aged About 33 Years R/o Ward No. 6, Banglapara, Harri, District Balrampur Chhattisgarh.

59 - Shailesh Kumar Mehta S/o Raghubeer Prasad Mehta Aged About 39 Years R/o Village Darridih, Post Balrampur, District Balrampur Chhattisgarh

60 - Sandeep Kumar Bhagat S/o Lalsai Bhagat Aged About 33 Years R/o House No. 26, Main Road, Rajpur, Tahsil Rajpur, District Balrampur, Chhattisgarh

61 - Sanjay Kumar Soni S/o Neelam Prasad Aged About 32 Years R/o Bangla Road, Sanaval, District Balrampur Chhattisgarh

62 - Vimlesh Singh S/o Vijay Singh Aged About 45 Years R/o Village Aragahi Khas, Tahsil Balrampur District Balrampur Chhattisgarh

... Respondent(s)

For Appellant(s) : Mr. Manoj Paranjpe, Sr. Adv along with Mr. Abhyuday Singh, Advocate

For Respondent(s) : Mr. Shashank Thakur, Dy. A.G., Mr. Shubham Dwivedi and Mr. Ravipal Maheshwri, Advocates

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

23.02.2026

1. Heard Mr. Manoj Paranjpe, learned Senior Advocate along with Mr. Abhyuday Singh, learned counsel for the appellant. Also heard Mr. Shashank Thakur, Additional Advocate General for respondent / State, Mr. Shubham Dwivedi, learned counsel for intervenor and Mr. Ravipal Maheshwri, learned counsel for respective respondents.
2. The appellant has filed this writ appeal against the order dated 02.01.2026 passed by the learned Single Judge in Writ Petition (S). No. 1205/2025 (***Devendra Rajput and Others vs. State of Chhattisgarh and others***) whereby the learned Single Judge has dismissed the writ petition filed by the writ petitioners, observing as follows:

“Before parting with this case, it is made clear that nothing in this judgment shall be construed as finding of fact in relation to criminal proceeding arising from the present incident of malpractice in conducting the examination and the criminal court will decide the case on the basis of materials placed before it in accordance with law. It is also directed that the respondent State is at liberty to conduct fresh examination for promotion from the post of Patwari to revenue inspector in a fair and transparent manner preserving the sanctity and integrity of the examination.”

3. Brief facts of the case are that the present appeal arises out of the impugned order dated 02.01.2026, whereby the learned Single

Judge, while declining to grant the relief sought by the appellants, declared the entire departmental selection process for promotion from the post of Patwari to Revenue Inspector as vitiated and directed the State to conduct a fresh recruitment examination, even though no such relief was either pleaded or prayed for by any of the parties. The appellants, who are serving Patwaris in the State of Chhattisgarh with more than five years of experience, had participated in a departmental examination conducted pursuant to memo dated 25.09.2023, in which around 2600 candidates appeared and 216 candidates, including the appellants, were declared successful on 29.02.2024 for undergoing training toward promotion as Revenue Inspectors. Upon certain complaints alleging malpractice, a departmental fact-finding enquiry as well as a High-Level Investigation Committee constituted on 23.08.2024 thoroughly examined the matter and, vide report dated 29.11.2024, found no evidence of malpractice, though it noted certain procedural irregularities not indicative of paper leak or malice. Despite these findings, the matter was subsequently referred to the ACB/EOW, where a preliminary enquiry (No. 01/2025) is still pending and no conclusive determination of malpractice has been made. In the meanwhile, the appellants had approached the Court seeking permission to join training pending enquiry, however, the State opposed the same citing pendency of investigation. The learned Single Judge, relying on the principle of preponderance of probabilities and certain observations regarding procedural

irregularities, though expressly noting absence of direct material, held the selection process to be tainted and effectively cancelled it by granting liberty to conduct a fresh examination. Aggrieved by the said order, which allegedly travels beyond the pleadings, records findings without definitive proof of deeply rooted malpractice, and causes grave prejudice to successful candidates despite absence of any finding that tainted and untainted candidates cannot be segregated, the appellants have preferred the present appeal.

4. Learned counsel for the appellants submits that the impugned order suffers from manifest errors of law and jurisdiction inasmuch as the learned Single Judge travelled beyond the pleadings and reliefs sought by the parties, none of whom had prayed for cancellation of the examination, and the consistent stand of the State itself was only that training would be commenced upon completion of the pending investigation by ACB/EOW yet, the Court proceeded to direct fresh examination, thereby rendering the ongoing process of investigation to segregate tainted and untainted candidates wholly redundant and infructuous. It is contended that the learned Single Judge has expressly recorded absence of any direct material on record and has arrived at the conclusion of the examination being tainted merely on the principle of preponderance of probabilities, whereas cancellation of an entire selection process can only be founded upon concrete and definitive findings of deeply rooted and inextricable malpractice

established through in-depth factual inquiry, and not on surmises, conjectures, or procedural lapses. Learned counsel further submits that even the precedents relied upon in the impugned judgment mandate a categorical finding that segregation of tainted and untainted candidates is impossible before nullifying the whole examination; on the contrary, settled law consistently protects innocent candidates from suffering for faults not attributable to them. It is urged that the procedural irregularities noted by the Committee were neither serious nor indicative of malpractice, and were attributable, if at all, to the examining authority and not to the candidates, who cannot be penalized for technical lapses beyond their control. The appellants, having successfully cleared the examination for undergoing training as Revenue Inspectors, have at least a legitimate expectation and semblance of right to be sent for training, and the State cannot keep the merit list in limbo indefinitely without cogent justification. The burden lies on the State to substantiate denial of joining, particularly when there is not an iota of evidence establishing malpractice or favoritism. Lastly, it is submitted that mere pendency of investigation or registration of FIR, being only an allegation at a preliminary stage, cannot be a lawful ground to indefinitely stall or frustrate the selection process, and the same must either culminate in a definitive finding within a reasonable time or the appellants be permitted to join training subject to the outcome thereof.

5. On the other hand, learned counsel for respondents opposes the

submissions made by the learned counsel for the appellant and submits that the learned Single Judge after considering all the aspects of the matter has rightly dismissed the writ petition filed by the writ petitioners / appellants herein, in which no interference is called for.

6. We have heard learned counsel for the appellants and perused the impugned order and other documents appended with writ appeal.
7. Perusal of the impugned order would demonstrate that the learned Single Judge framed the core issue for determination as to whether the departmental examination conducted in the year 2023–2024 for promotion from Patwari to Revenue Inspector was held in a fair and transparent manner, or whether a direction ought to be issued to the State to send the successful candidates for training. The Court observed that though there may not be any direct material to record a definitive finding, it would examine the matter on the principle of preponderance of probabilities, particularly in light of the report dated 29.11.2024. Upon consideration of the said report, the Court noted certain procedural aspects, including the provision for mentioning mobile numbers on OMR sheets, which, according to the Court, could affect the purity of the examination by enabling identification of candidates, thereby creating doubt regarding fairness. The Court further observed that the number of questions had been increased from 50 to 100 within the same 90-minute duration, raising suspicion as to the feasibility

of attempting all questions, particularly where some candidates had secured very high marks. Additionally, the allotment of consecutive roll numbers to 22 close relatives posted in different districts was considered as a circumstance giving rise to doubt. Relying upon the principles laid down by the Hon'ble Supreme Court in *Vanshika Yadav vs. Union of India and State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) & Others*, the Court emphasized that sanctity and integrity of examinations must be preserved and that systemic compromise may justify cancellation. The Court distinguished the precedents cited by the petitioners on the grounds of estoppel and legitimate expectation, holding them inapplicable to the present facts. Consequently, the learned Single Judge concluded that the selection process was tainted with signs of favoritism and nepotism and was not conducted in a fair and transparent manner, therefore, no direction could be issued to send the petitioners for training. While clarifying that the observations shall not affect the pending criminal proceedings, the Court granted liberty to the State to conduct a fresh examination and dismissed the writ petitions accordingly.

8. Considering the submissions made by the learned counsel appearing for the parties and upon perusing the impugned order, we notice that the same has been rendered by the learned Single Judge with cogent and justifiable reasons. In an intra-court appeal, no interference is usually warranted unless palpable infirmities are noticed on a plain reading of the impugned order. In

the facts and circumstances of the instant case, on a plain reading of order, we do not notice any such palpable infirmities or perversities, as such we are not inclined to interfere with the impugned order.

9. Accordingly, the writ appeal being devoid of merit is liable to be and is hereby **dismissed**. No cost(s).

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

Manpreet