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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 424 of 2022

1 - Yogesh Singh Bisen S/o Late K.K. Bisen Aged About 35 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Salheghori R/o Azad Chowk Pendra District Gaurella Pendra Marwahi Chhattisgarh.

2 - Atul Kumar Tiwari S/o Shivshankar Tiwari Aged About 36 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Salheghori , R/o Puranibasti Pendra District Gaurella Pendra Marwahi Chhattisgarh.

3 - Smt. Taravati Shyam W/o Narendra Singh Shyam Aged About 33 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School , Umarkhohi , R/o Village Dongriya Pendra District Gaurella Pendra Marwahi Chhattisgarh.

4 - Smt. Anapurna Singh Dhruwe W/o Hameshwar Singh Dhruwe Aged About 32 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School Anjani, R/o Village Dumariha Pendra District Gaurella Pendra Marwahi Chhattisgarh.

--- Petitioners

Versus

1 - State Of Chhattisgarh Through Its Secretary School Education Department Mahanadi Bhawan, Naya Raipur , District Raipur Chhattisgarh.

2 - Director Directorate Of Public Instructions, Indrawati Bhawan, 3rd Floor, Raipur , District Raipur Chhattisgarh.

3 - Divisional Joint Director Bilaspur Division, Bilaspur , District Bilaspur Chhattisgarh.

4 - District Education Officer Gaurella Pendra Marwahi , District Gaurella Pendra Marwahi Chhattisgarh.

5 - Block Education Officer Block Gaurella , District Gaurella Pendra Marwahi Chhattisgarh.

--- Respondents

And

WPS No. 572 of 2022

*** - Yashwant Dewangan S/o Shri Jeevanlal Dewangan Aged About 39 Years Presently Posted Teacher (L.B.) At Government Middle School, Kohka, Block Dongargarh, District : Rajnandgaon, Chhattisgarh**

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Its Secretary School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, District : Raipur, Chhattisgarh
- 2** - Director Directorate Of Public Instruction, Indrawati Bhawan, 3rd Floor, Raipur, District : Raipur, Chhattisgarh
- 3** - Divisional Joint Director Education Division, Durg, District : Durg, Chhattisgarh
- 4** - District Education Officer Rajnandgaon, District : Rajnandgaon, Chhattisgarh

--- Respondents**And****WPS No. 577 of 2022**

- 1** - Dwarka Prasad Patel S/o Late Shri Upendra Kumar Patel Aged About 39 Years Presently Posted Teacher (L.B.) At Government Middle School, Kharsura, Block Surajpur, District- Surajpur (C.G.)
- 2** - Jyoti Verma D/o Shri Ramkhilawan Verma Aged About 34 Years Presently Posted Teacher (L.B.) At Government Middle School, Kamalpur Panchpedi, Block Surajpur, District- Surajpur (C.G.)
- 3** - Shweta Kujur D/o Late Shri Norbert Kujur Aged About 34 Years Presently Posted Teacher (L.B.) At Government Middle School, Brijnagar, Block Surajpur, District- Surajpur (C.G.)
- 4** - Laxmi Singh Rathore D/o Late Shri Ranjeet Singh Aged About 40 Years Presently Posted Teacher (L.B.) At Government Middle School, Kunjnagar, Block Surajpur, District- Surajpur (C.G.)
- 5** - Sunita Gupta D/o Shri Gulab Prasad Gupta Aged About 41 Years Presently Posted Teacher (L.B.) At Government Middle School, Bharatpur, Block Surajpur, District- Surajpur (C.G.)

---Petitioners**Versus**

- 1** - State Of Chhattisgarh Through- Its Secretary School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, District- Raipur (C.G.)
- 2** - Director Directorate Of Public Instruction, Indrawati Bhawan, 3rd Floor, Raipur, District- Raipur (C.G.)
- 3** - Divisional Joint Director Education Division, Sarguja, District- Sarguja (C.G.)
- 4** - District Education Officer District- Surajpur (C.G.)

--- Respondents**And**

WPS No. 591 of 2022

- 1** - Gajanand Pradhan S/o Shri Tularam Pradhan Aged About 35 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School Kena, Block Saraipali , District Mahasamund Chhattisgarh.
- 2** - Vishikeshan Nairojee S/o Shri Gopeshwar Prasad Nairojee Aged About 39 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School, Patsendri , Block Saraipali District Mahasamund Chhattisgarh.
- 3** - Chandrashekhar Nag S/o Shri Loknath Nag Aged About 34 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School, Chhindpali , Block Saraipali District Mahasamund Chhattisgarh.
- 4** - Dilip Vishal S/o Shri Nandlal Vishal Aged About 43 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School, Kalenda , Block Saraipali, District Mahasamund Chhattisgarh.
- 5** - Virendra Kumar Narmada S/o Shri Hemlata Narmada Aged About 46 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School, Bidhinya , Block Saraipali, District Mahasamund Chhattisgarh.
- 6** - Madhav Prasad Panda S/o Shri Nilanchal Prasad Panda Aged About 45 Years Presently Posted Teacher (L.B.) At Government Higher Secondary School, Amlidih , Block Saraipali, District Mahasamund Chhattisgarh.

---Petitioners**Versus**

- 1** - State Of Chhattisgarh Through Its Secretary School Education Department , Mantralaya Mahanadi Bhawan, Nava Raipur , District Raipur Chhattisgarh.
- 2** - Director Directorate Of Public Instruction, Indrawati Bhawan , 3rd Floor, Raipur , District Raipur Chhattisgarh.
- 3** - Divisional Joint Director Education Division, Raipur , District Raipur Chhattisgarh.
- 4** - District Education Officer District Mahasamund Chhattisgarh.

--- Respondents**And****WPS No. 609 of 2022**

- *** - Omprakash Patel S/o Jageshwar Prasasd Patel, Aged About 40 Years Presently Posted As Assistant Teacher (L.B.) At Government Higher Secondary School, Jhagarpur, Block Lailunga, District Raigarh R/o Village Pakargaon, Block Lailunga, District : Raigarh, Chhattisgarh

---Petitioner**Versus**

- 1** - State Of Chhattisgarh Through Its Secretary School Education Department Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2 - Divisional Joint Director, Bilaspur Division, Bilaspur, District : Bilaspur, Chhattisgarh

3 - District Education Officer, Raigarh, District : Raigarh, Chhattisgarh

4 - Block Education Officer, Block Lailunga, District : Raigarh, Chhattisgarh

--- Respondents

And

WPS No. 656 of 2022

1 - Akhilesh Pratap Singh Pawar S/o Shri Manmohan Singh Pawar Aged About 37 Years Presently Posted Teacher (L.B.) At Government Middle School, Medpar Bazar, Block Takhatpur, District : Bilaspur, Chhattisgarh

2 - Lakhiram Malakar S/o Shri Divyalochan Malakar Aged About 35 Years Presently Posted Teacher (L.B.) At Government Middle School, Tushir, Block- Baramkela, District : Raigarh, Chhattisgarh

---Petitioners

Versus

1 - State Of Chhattisgarh Through Its Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, District : Raipur, Chhattisgarh

2 - Director, Directorate Of Public Instruction, Indrawati Bhawan, 3rd Floor, Raipur, District : Raipur, Chhattisgarh

3 - Divisional Joint Director, Education Division, Bilaspur, District : Bilaspur, Chhattisgarh

4 - District Education Officer, District : Bilaspur, Chhattisgarh

5 - District Education Officer, District- Raigarh, Chhattisgarh

--- Respondents

And

WPS No. 1689 of 2022

1 - Manish Kumar Rautel S/o Ghanshyam Rautel Aged About 32 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Khamhalikala, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

2 - Shailesh Kumar Sahu S/o Ramkhilawan Sahu Aged About 42 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Chhitadah, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

3 - Smt. Bhawana Rathore W/o Narayan Singh Rathore Aged About 41 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Sadhwani, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

4 - Raval Pratap Singh S/o Indra Kumar Singh Aged About 33 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School,

Navapara (Sadhvani), Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

5 - Keshari Nandan Gandharv S/o Kejaram Gandharv Aged About 33 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Kasaibahara (Sadhvani), Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

6 - Smt. Mamta Kashyap W/o Pawan Kumar Kashyap Aged About 40 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Talwatola (Gorakhpur) Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

7 - Smt. Poonam Namdev W/o Yogesh Namdev Aged About 32 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Talwatola (Pakriya), Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

8 - Smt. Arpan Mishra W/o Pawan Kumar Mishra Aged About 32 Years Presently Posted Assistant Teacher (L.B.) At Government Middle School, Dhanauli, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

---Petitioners

Versus

1 - State Of Chhattisgarh Through Its Secretary School Education Department Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.

2 - Divisional Joint Director, Bilaspur Division Bilaspur, District Bilaspur, Chhattisgarh

3 - District Education Officer, Gaurella Pendra Marwahi District Gaurella Pendra Marwahi Chhattisgarh.

4 - Block Educaiton Officer, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

--- Respondents

And

WPS No. 2226 of 2022

1 - Mohan Prasad Rajak S/o Chhugaluram Rajak Aged About 37 Years Presently Posted Assistant Teacher (L.B.), At Government Primary School, Lamna, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

2 - Smt. Pratima Patel W/o Omprakash Patel Aged About 33 Years Presently Posted Assistant Teacher (L.B.), At Government Primary School Vishabhartola, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

3 - Mohannae Ajaj Behna S/o Mohammad Farukh Aged About 36 Years Presently Posted Assistant Teacher (L.B.), At Government Primary School, Semraha, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

---Petitioners

Versus

- 1** - State Of Chhattisgarh Through Its Secretary, School Education Department Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
- 2** - Divisional Joint Director, Bilaspur Division Bilaspur, District Bilaspur Chhattisgarh.
- 3** - District Education Officer, Gaurella Pendra Marwahi District Gaurella Pendra Marwahi Chhattisgarh.
- 4** - Block Education Officer Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

--- Respondents**And****WPS No. 2227 of 2022**

- 1** - Pashupati Nath Pandey S/o- R.S. Pandey Aged About 37 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Dahibahra, Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh
- 2** - Ramesh Kumar Shyam S/o- Ram Charan Aged About 32 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Basti, Block Gaurella, District : Gaurela-Pendra-Marwahi, Chhattisgarh
- 3** - Dinesh Kumar S/o- Tikait Singh Aged About 31 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Dadsamadi, Block Gaurella, District : Gaurela-Pendra-Marwahi, Chhattisgarh
- 4** - Manmohan Singh Paikra S/o- Sudhir Singh Aged About 35 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School, Aamakhola, Block Gaurella, District : Gaurela-Pendra-Marwahi, Chhattisgarh

---Petitioners**Versus**

- 1** - State Of Chhattisgarh Through Its Secretary, School Education Department Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
- 2** - Divisional Joint Director Bilaspur Division Bilaspur, District : Bilaspur, Chhattisgarh
- 3** - District Education Officer Gaurella Pendra Marwahi, District : Gaurela-Pendra-Marwahi, Chhattisgarh
- 4** - Block Education Officer Block Gaurella, District : Gaurela-Pendra-Marwahi, Chhattisgarh

--- Respondents**And**

WPS No. 3670 of 2022

* - Vidhan Singh Kanwar S/o Satram Singh Aged About 37 Years Presently Posted Assistant Teacher (L.B.) At Government Primary School , Belvat , Block Gaurella, District : Gaurela-Pendra-Marwahi, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary School Education Department Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2 - Divisional Joint Director Bilaspur Division Bilaspur, District : Bilaspur, Chhattisgarh

3 - District Education Officer Gaurella Pendra Marwahi, District : Gaurela-Pendra-Marwahi, Chhattisgarh

4 - Block Education Officer Block Gaurella District Gaurella Pendra Marwahi Chhattisgarh.

--- Respondents

For Petitioners	:	Mr. Ishan Saluja, Advocate
For Respondents/State	:	Mr. Keshav Prasad Gupta, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

09/07/2026

1. The petitioners have filed these petitions seeking the following relief(s):-

WPS No 424/2022; WPS No. 609/2022; WPS No. 1689/2022; WPS No. 2226/2022; WPS No. 2227/2022 & WPS No. 3670/2022 :

"10.1 That this Hon'ble Court may kindly be pleased to set-aside/ quash the impugned letter Dated 13.12.2021 (Annexure- P/1) sent to all the DEOs, Bilaspur Division, By Divisional Joint Director Bilaspur Division.

10.2 That this Hon'ble Court may kindly be pleased to direct the respondent State to calculate the services of the petitioners from the date of appointment/joining on the post of Shikshakarmi Grade-III for promotion to the post of Teacher (LB) as per the rule 15 (1) of Chhattisgarh School Education

Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019.

10.3 This Hon'ble Court may kindly be pleased to direct the respondent State to consider the candidature of the petitioners for absorption in School Education Department with effect from 01.07.2018 in place of 01.07.2019 as the petitioners completed 8 years i.e. from the date of appointment 30.06.2010.

10.4 To kindly grant any other writ/ writs, order/ orders, relief/ reliefs in favour of the petitioners, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioners."

WPS No. 572/2022 & WPS No. 656/2022 :

"10.1 That this Hon'ble Court may kindly be pleased to direct the respondent State to calculate the services of the petitioners from the date of appointment on the post of Shikshakarmi Grade-II for promotion to the post of Lecturer (LB) as per the rule 15 (1) of Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019.

10.2 This Hon'ble Court may kindly be pleased to direct the respondent State to consider the candidature of the petitioners for absorption in School Education Department from the date when the petitioners have completed 8 years of service in place of 01.07.2019

10.3 To kindly grant any other writ/ writs, order/ orders, relief/ reliefs in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioners."

WPS No. 577/2022 :

"10.1 That this Hon'ble Court may kindly be pleased to set-aside/ quash the impugned letter Dated 07.01.2022 (Annexure P/1) sent by the Divisional Joint Director, Sarguja-

Ambikapur Division.

10.2 That this Hon'ble Court may kindly be pleased to direct the respondent State to calculate the services of the petitioners from the date of appointment on the post of Shikshakarmi Grade-II for promotion to the post of Lecturer (LB) as per the rule 15 (1) of Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019.

10.3 This Hon'ble Court may kindly be pleased to direct the respondent State to consider the candidature of the petitioners for absorption in School Education Department from the date when the petitioners have completed 8 years of service in place of 01.07.2019.

10.4 To kindly grant any other writ/ writs, order/ orders, relief/ reliefs in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the case to the petitioners."

WPS No. 591/2022 :

"10.1 That this Hon'ble Court may kindly be pleased to set-aside/ quash the impugned letter Dated 14.01.2022 (Annexure- P/1) sent to all the DEOs, Raipur Division, by Divisional Joint Director Bilaspur Division.

10.2 That this Hon'ble Court may kindly be pleased to set-aside/ quash the impugned letter Dated 18.01.2022 (Annexure-P/2) sent by the District Education Officer, Mahasamund.

10.3 That this Hon'ble Court may kindly be pleased to direct the respondent State to calculate the services of the petitioners from the date of appointment on the post of Shikshakarmi Grade-II for promotion to the post of Lecturer (LB) as per the rule 15 (1) of Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019.

10.4 This Hon'ble Court may kindly be pleased to direct the

respondent State to consider the candidature of the petitioners for absorption in School Education Department from the date when the petitioners have completed 8 years of service in place of 01.07.2019.

10.5 To kindly grant any other writ/ writs, order/ orders, relief/ reliefs in favour of the petitioners, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioners.”

2. Mr. Ishan Saluja, learned counsel appearing for the petitioners would submit that the petitioners were appointed on the post of Shikshakarmis Grade-III vide order dated 30.06.2010 and they completed 08 years of services on 30.06.2018. He would contend that a policy decision was taken by the State Government to absorb services of all Shikshakarmis with the School Education Department and orders were issued in favour of all Shikshakarmis on 01.07.2018, but services of the petitioners were absorbed with effect from 01.07.2019 for the reasons best known to the respondent authorities. Further Mr. Saluja would not press relief Clause No. 10.2 and confine these petitions for reliefs Clause Nos.10.1 and 10.3.
3. Mr. Keshav Prasad Gupta, learned Government Advocate appearing for the State/respondents would refer Annexure – P/5 dated 02.07.2018 (WPS No. 424/2022) which states that the Shikshakarmis who completed 08 years of services on 01.07.2019 and their services would be absorbed with effect from 01.07.2019. He would submit that the orders were issued with regard to absorption of services of all Shikshakarmis on 01.07.2019. He would submit that these petitions deserve to be dismissed.
4. Heard learned counsel for the parties and perused the documents.

5. It appears that the petitioners completed 08 years of services prior to 01.07.2018 and no reason has been assigned by the respondent authorities while ignoring the names of the petitioners for absorption of their services, whereas services of most of Shikshakarmis, who had completed 08 years of service on the said date, were absorbed with effect from 01.07.2018. These are the cases where petitioners had completed 08 years of service prior to 01.07.2018 they are entitled for similar treatment.
6. Having considered above discussed facts, the respondent authorities are directed to take decision with regard to absorption of services of the petitioners with effect from 01.07.2018 and appropriate orders shall be passed within a period of 03 months from today after due verification of service records.
7. The petitioners would be at liberty to make representation(s) before the respondent authorities claiming consequential benefits attached to the post.
8. With the aforesaid direction(s) / observation(s), these writ petitions are **disposed of.**

Sd/-

(Rakesh Mohan Pandey)
Judge