



CGHC010380202018



2026:CGHC:34763

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7895 of 2018

1 - Mahesh Kumar Shukla S/o Shri Shobhamani Shukla Aged About 33 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Nawapara, Block Simga, District- Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

... Petitioner(s)

versus

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

2 - Secretary Department Of Panchayat And Rural Development, State Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

3 - District Education Officer Baloda Bazar-Bhatapara, District- Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

4 - Chief Executive Officer Zila Panchayat, Baloda Bazar- Bhatapara, District- Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

... Respondent(s)

For Petitioner/s	:	Shri Shashi Kumar Kushwaha, Advocate alongwith Shri G.P. Mathur, Advocate.
For Respondents/State	:	Shri Arpit Agrawal, P.L.
For Respondent No.4	:	Shri Adhiraj Surana, Advocate.

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

07/08/2026

1. The petitioner has filed this petition seeking the following relief(s):-

“(i) That, this Hon'ble Court may kindly be pleased to quash impugned order (Annexure P-1) and petitioner may be continued in the education department accordingly, in the interest of justice.

(ii) Any other relief which may be suitable in the facts and circumstances of the case, may also be granted.”

2. Learned counsel appearing for the petitioner would submit that the petitioner was initially appointed to the post of Shiksha Karmi Grade-III vide order dated 31.5.2010 and was subsequently appointed to the post of Shiksha Karmi Grade-I vide order dated 10.11.2010. He joined service on 13.11.2010. He would further submit that the State Government took a policy decision dated 1.7.2018 to absorb the services of all Shiksha Karmis into the School Education Department. He would contend that name of the petitioner was not considered for absorption and the order (Annexure-P/1) was issued. He would submit that although the services of the petitioner were initially absorbed, the order of absorption was subsequently cancelled vide order dated 22.8.2018. He would contend that the said decision was taken by respondent No.4 pursuant to circular dated 13.7.2018. He would submit that the petitioner has now completed eight years of service on the post of Shiksha Karmi Grade-I and therefore, the order (Annexure-P/1) deserves to be quashed. It is also contended that the petitioner has been continuing on the said post pursuant to the interim order dated 1.12.2018.

3. On the other hand, learned counsel for respondent No.4 would oppose the submissions made by counsel for the petitioner. He would submit that the order (Annexure-P/1) dated 22.8.2018 was issued by

respondent No.1 pursuant to the circular dated 13.7.2018. He would contend that the petitioner had not completed eight years of qualifying service as on the date of consideration i.e. 1.7.2018 but due to inadvertent mistake, his services were absorbed, and said mistake was subsequently rectified by the department. He would submit that the petitioner is still working on the said post by virtue of the interim order.

4. Learned counsel for the State would submit that as the petitioner had not completed eight years of qualifying service as on 1.7.2018, the order cancelling his absorption was rightly issued by respondent No.4. He would submit that the petition deserves to be dismissed.
5. I have heard learned counsel for the parties and perused the documents present on record.
6. Having considered the fact that an interim order was passed in favour of the petitioner on 1.12.2018 and he has completed eight years of service and further considering that his services had initially been absorbed, the order Annexure-P/1 is hereby quashed. The respondents are directed to consider the claim of the petitioner for absorption from the date he completed eight years of qualifying service, and this direction shall be confined to the case of the petitioner alone.
7. With the aforesaid observation(s), this writ petition is **disposed of**.

Sd/-
(Rakesh Mohan Pandey)
Judge