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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 288 of 2015**

- Smt. Neelima Janardan Wife of Hariprasad Janardan, aged about 31 years resident of Block -7, Floor-3, Room No. 553, Khamhardih, Housing Board Colony, Raipur, Police Station & District-Raipur (C.G.)

---- **Petitioner****Versus**

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science & Technology, Mahanadi Bhawan, Mantralaya, New Raipur, P.S.- Rakhi, District-Raipur (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur (C.G.)
3. The Principal, Government Girls Polytechnic Raipur, District-Raipur (C.G.)

---- **Respondents****And****WPS No. 343 Of 2015**

- Madhumalini John, wife of Shri Somesh Kumar John, aged about 38 years, resident of Mangla Chowk, Bilaspur, Police Station-Civil Lines, District Bilaspur, (CG)

---- **Petitioner****Vs**

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, PS-Rakhi, District-Raipur, (CG)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur, (CG)
3. The Principal, Government Polytechnic, Janjgir, District-Janjgir-Champa, (CG)

---- **Respondents****And****WPS No. 358 Of 2015**

- Ku. Rashmi Rao Meshram, daughter of Shri M.R. Meshram, aged about 30

years, resident of Talapara Road, Bilaspur, Police Station - Civil Line, District- Bilaspur, (C.G.)

---- **Petitioner**

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, P.S.- Rakhi, District- Raipur, (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur, (C.G.)
3. The Principal, Government Polytechnic, Janjgir, District-Janjgir- Champa, (C.G.)

---- **Respondent**

And

WPS No. 357 Of 2015

- Shanti Rathore, wife of Navneet Singh Rathore, aged about 31 years, resident of C/o Vijay Rathore, Akaltara Road, Janjgir, Near Gattani School, Police Station-Janjgir, District-Janjgir-Champa (C.G.)

---- **Petitioner**

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, Naya Raipur, P.S.-Rakhi, District-Raipur (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur (C.G.)
3. The Principal, Government Polytechnic, Janjgir, District-Janjgir-Champa (C.G.)

---- **Respondent**

And

WPS No. 354 Of 2015

- Smt. Ruchi Jain wife of Shreyash Kumar Jain, aged about 31 years, resident of D-313, Sector-5, Near Bank of Baroda, Tagore Nagar, Raipur, Police Station and District-Raipur (C.G.)

---- **Petitioner**

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, P.S.-Rakhi, District-Raipur (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur (C.G.)
3. The Principal, Government Girls Polytechnic Raipur, District-Raipur (C.G.)

---- Respondents

And

WPS No. 353 Of 2015

- Vinod Kumar Yadu, son of S.P. Yadu, aged about 29 years, resident of Idgah Bhatha, Mangal Bajar, Gali No.5, Raipur, Police Station and District - Raipur (C.G.)

---- Petitioner

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, P.S.-Rakhi, District-Raipur (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur (C.G.)
3. The Principal, Government Polytechnic, Raigarh (C.G.)

---- Respondents

And

WPS No. 352 Of 2015

- Shailraj Narang, son of Shri Jeevanlal Narang, aged about 32 years, resident of Rudri, Police Station-Rudri, District-Dhamtari (C.G.)

---- Petitioner

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, P.S.-Rakhi, District-Raipur (C.G.)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur (C.G.)
3. The Principal, Government Polytechnic Kanker, District-Kanker (C.G.)

---- Respondents

And

WPS No. 344 Of 2015

- Smt. Jyoti Kanwar, wife of Shri Samund Singh Kanwar, aged about 32 years, resident of Quarter No.6, Type-I, Central Excise Colony, Police Station-Tikrapara, Raipur, District-Raipur, (CG)

---- Petitioner

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, PS-Rakhi, District-Raipur, (CG)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur, (CG)
3. The Principal, Government Polytechnic Raipur, District Raipur, (CG)

---- Respondents

And

WPS No. 345 Of 2015

- Priyanka Bhagat, wife of Shri Madhu Mohan Bhagat, aged about 32 years resident of H.N.21, Janta Nagar, Gudhiyari, Raipur, PS-Gudhiyari, District – Raipur, (CG)

---- Petitioner

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, PS-Rakhi, District-Raipur, (CG)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur, (CG)
3. The Principal, Government Polytechnic, Raipur, District-Raipur, (CG)

---- Respondents

And

WPS No. 349 Of 2015

- Smt. Tilotama Narang wife of Shri Shailraj Narang, aged about 32 years, resident of Rudri, Police Station-Rudri, District-Dhamtari, (CG)

---- Petitioner

Vs

1. State of Chhattisgarh Through the Secretary, Department of Technical Education, Men Power Planning, Science and Technology, Mahanadi Bhawan, Mantralaya, New Raipur, PS-Rakhi, District-Raipur, (CG)
2. The Director, Directorate Technical Education, Government Girls Polytechnic Campus, Byron Bazar, Raipur, (CG)
3. The Principal, Bhopalrao Pawar Government Polytechnic Dhamtari, District - Dhamtari, (CG)

---- Respondents

For Petitioners : Shri Prateek Sharma, Advocate.
For Respondents : Shri PK Bhaduri, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

29/04/2015

1. The petitioners are contract appointees Lecturers in different subjects in the Polytechnic Colleges of the State. Their appointment was made for a period of one year under the Chhattisgarh Civil Services (Contract Appointment) Rules, 2004 (for short 'the Rules, 2004'). There are other contract appointees who were appointed for a period of 3 years under the Chhattisgarh Technical Education Three Years Contract (Appointment & Conditions of Service) Rules, 2002 (for short 'the Rules, 2002').
2. Agitating that services of one set of contract appointees Lecturers are extended for block period of 3 years whereas contract appointment of the petitioners are extended only for one year at a time and further that other set of appointees are extended the benefit of 10% increment on completion of 3 years of contract and 10% increase in salary on completion of each block of

3 years of contract service, the petitioners have preferred these writ petitions seeking issuance of direction to the respondents to treat both set of contract appointees equally and impartially.

3. Return has been filed by the State stating that the petitioners are governed by the terms of appointments and the Rules, 2004, therefore, the action of the respondents is neither arbitrary nor illegal.
4. Countering the submission, learned counsel for the petitioners would submit that at present the Rules, 2002 and 2004 are not in existence, therefore, all the appointees, whether they be appointees under the Rules, 2002 or under the Rules, 2004, are governed under the Chhattisgarh Civil Services (Contract Appointment) Rules, 2012, therefore, the petitioners are entitled for the similar treatment. He would also submit that the petitioners apprehend that their services may not be extended because they have knocked the door of this Court. He would submit that under the applicable rules, performance, suitability and eligibility as well as requirement of the appointees for extension of contract is made in favour of the petitioners, yet their services are not extended.
5. Be that as it may, it appears, the issue and grievances raised by the petitioners have not yet been addressed by the employer.
6. In the opinion of this Court, it would be appropriate to direct respondent No.1 to consider and decide the representation of the petitioners, if they file any such representation within a period of 15 days from today. If such representation is filed, respondent No.1 shall decide the same by a speaking order at the earliest, preferably within a period of 2 months from the date of submission.

7. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation on its own merits, in accordance with law, without treating any observation as opinion on the merits of the case.
8. In the event, cause of action still survives, the petitioners would be at liberty to move afresh before this Court.
9. The writ petitions are accordingly disposed of.

J U D G E

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