

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT APPEAL NO. 227 OF 2015

1. Anil Kumar Ramtake S/o Shri Sunder Lal, aged about 47 years, post Assistant Teacher Panchayat, Government Primary School, Matkasa, Block Mohla, District Rajnandgaon, R/o Village and Post Korramtola, Block Mohla, District Rajnandgaon (C.G.)
2. Alok Masih S/o Shri Nelson Masih, aged about 38 years, post Assistant Teacher Panchayat, Government Primary School, Kanglutola, Block Mohala, District Rajnandgaon, R/o Village and Post Gotatola, Tahsil Mohala, District Rajnandgaon (C.G.)
3. Bhisma Ram Bhuarya S/o Shri Dheerpal Singh Bhuarya, aged about 40 Years, Assistant Teacher Panchayat, Government Primary School, Pandrwany, Block Mohala, District Rajnandgaon, R/o Village Dharny, Post Korramtola, Tahsil Mohala, District Rajnandgaon (C.G.)
4. Atmaram Netam S/o Shri Mangiyaram Netam, aged about 39 years, post Assistant Teacher Panchayat, Government Primary School, Pendakoda, Block Mohala, R/o Village Pendakoda, Post and Block Mohala, Tahsil Mohala, District Rajnandgaon (C.G.)
5. Kalyan Singh Nayak S/o Shri Parmeshwar Singh Nayak, aged about 46 years, Assistant Teacher Panchayat, Government Primary School Kunwardalli, R/o Village Badgaon, Post Godelwahi, Block Chhuria, District Rajnandgaon (C.G.)
6. Mahendra Kumar Arya S/o Shri Siyaram Arya, aged about 43 years, Assistant Teacher Panchayat, Government Primary School, Chamarratola, Block Mohla, District Rajnandgaon, R/o Village and Post Nagar Panchayat Chikhlakassa, District Balod (C.G.)

... Appellants

Versus

1. State of Chhattisgarh, through Secretary, Panchayat and Rural Welfare Department, Office situated at Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. The Chief Executive Officer, District Panchayat, Rajnandgaon, Office situated at District Panchayat, Rajnandgaon (C.G.)
3. The Chief Executive Officer, Janpad Panchayat Mohala, District Rajnandgaon (C.G.)
4. The Block Education Officer, Mohala, District Rajnandgaon (C.G.)

... Respondents

WRIT APPEAL NO. 231 OF 2015

1. Dharmendra Kumar Patel S/o Late Jaimangal Patel, aged about 43 years, Lecturer (Panchayat) Physics, presently working at Govt. Higher Secondary School Kotmi, Block & P.S. - Dabhara District Janjgir- Champa (C.G.)
2. Shankar Prasad Sidar S/o Shri Bethiyer Sidar, aged about 44 years, Lecturer (Panchayat) Geography, presently working at Govt. Higher Secondary School Kotmi, Block & PS- Dabhara District Janjgir- Champa (CG)

3. Miss Geeta Khunte D/o Shri Chintaram Khunte, aged about 44 years, Lecturer (Panchayat) Hindi, presently working at Govt. Higher Secondary School Kotmi, Block & P.S.-Dabhara District Janjgir- Champa (C.G.)
4. Ram Krishna Patel S/o Shri Purshottam Patel, aged about 42 years, Lecturer (Panchayat) Mathematics, presently working at Govt. Higher Secondary School Kotmi, Block & P.S.-Dabhara District Janjgir-Champa (CG)
5. Yadram Patel S/o Shri Ram Prasad Patel, aged about 43 years, Lecturer (Panchayat) Chemistry Geography, presently working at Govt. Higher Secondary School Kotmi, Block & P.S.-Dabhara District Janjgir-Champa (CG)
6. Duleshwar Singh Naik S/o Shri Khageshwar Singh Naik, aged about 42 years, Lecturer (Panchayat) Chemistry, presently working at Govt. Higher Secondary School Kotmi, Block & P.S.-Dabhara District Janjgir-Champa (CG)
7. Ram Krishna Patel S/o Shri Mohan Singh Patel, aged about 43 years, Lecturer (Panchayat) Biology, presently working at Govt. Higher Secondary School Madwa, Block & P.S.-Dabhara District Janjgir-Champa (C.G.)
8. Ram Kumar Patel S/o Shri Chand Patel, aged about 43 years, Lecturer (Panchayat) Hindi, presently working at Govt. Higher Secondary School Chandrapur, Block & P.S. - Dabhara, District Janjgir-Champa (C.G.)

... Appellants

Versus

1. State of Chhattisgarh, through Secretary, Panchayat and Rural Welfare Department, Mahanadi Bhawan, Raipur (C.G.)
2. Chief Executive Officer, Jila Panchayat, District Janjgir-Champa (C.G.)
3. Chief Executive Officer, Janpad Panchayat Dabhara, District Janjgir-Champa (C.G.)
4. Block Education Officer, Block Dabhara, District Janjgir-Champa (C.G.)

... Respondents

For Appellants in W.A. No.227/2015	: Mr. K.K. Dewangan, Advocate.
For Appellants in W.A. No.231/2015	: Mr. Ashwani Shukla, Advocate.
For Respondents/State	: Mr. B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Navin Sinha, Chief Justice

Hon'ble Shri Justice P. Sam Koshy

Judgement on Board

Per Navin Sinha, C.J.

23/04/2015

1. Both these Writ Appeals are barred by delay of 99 days and 129 days respectively.
2. We have heard Counsel for the parties.

3. The Writ Appeals arise from separate orders, dated 17.10.2014 and 26.9.2014, disposing a batch of analogous cases including Writ Petition (S) No.2914 of 2014 and Writ Petition (S) No.4382 of 2014 filed by the Appellants. Since we have already heard and disposed Writ Appeal No.389 of 2014 and analogous appeals involving similar questions as raised in the present Writ Appeals on 23.3.2015, it is considered appropriate to condone the delay. Delay is therefore condoned.

4. While passing the order dated 23.3.2015, the subsequent order passed by the Respondents on 14.11.2014 recalling the order dated 2.11.2011 with effect from 1.5.2013 had not been brought to our attention.

5. The present Writ Appeals are therefore disposed in similar terms as Writ Appeal No.389 of 2014 and analogous appeals, dated 23.3.2015, with the only clarification that in view of the order dated 14.11.2014 the claim of the Appellants is required to be considered only for the period 2.11.2011 till 1.5.2013.

6. The Writ Appeals are disposed in similar terms as Writ Appeal No.389 of 2014 and analogous appeals with the aforesaid clarification.

(Navin Sinha)
Chief Justice

(P. Sam Koshy)
Judge