

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3705 of 2017**

1. Vinod Sinha S/o Bhojram Sinha, Aged About 31 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Atarmara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
2. Virendra Kumar Tiwari, S/o Lokeshwar Prasad Tiwari, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Seoni, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
3. Smt. Durga Das, S/o Chetan Das, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Gadaghat, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
4. Jitendra Kumar Sahu, S/o Shri Tulsiram Sahu, Aged About 25 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Nawapara, Kosami, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
5. Shital Kumar Mahilange, S/o Budhram Mahilange, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kuderadadar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
6. Keshav Ram Sen, S/o Yadram Sen, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Nangjhar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
7. Dhanesh Ram Sen, S/o Atharam Sen, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Nawapara, Bhaira, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
8. Santosh Kumar, S/o Bhuwan Lal, Aged About 26 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Karanpara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
9. Pankaj Gupta, S/o Shri Ram Kumar Gupta, Aged About 31 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Khudiyadih, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
10. Farendra Kumar, S/o Shri Kunlajan Sahu, Aged About 32 Years

Working As Assistant Teacher (Panchayat) At Govt. Primary School Kurud, Block Chhura, Civil And Revenue District Dhamtari Chhattisgarh.

11. Dullamram Kashyap, S/o Meghnath, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Maliyar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
12. Trilokram, S/o Yadavram, Aged About 32 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kutena, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
13. Chhattis Kumar Dhruw, S/o Niranjana, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kansindhi, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
14. Narayan Prasad Sahu, S/o Rupam Sahu, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Mekdidabri, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
15. Purushottam Yadav, S/o Chatur Singh, Aged About 38 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Prasadakhurd, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
16. Komal Dhruw, S/o Ramji Dhruw, Aged About 38 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Fulbahra, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
17. Manki Thakur, S/o Ajay Singh, Aged About 38 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Tenganbasa, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
18. Rekhrum Ratre, S/o Dayaram Ratre, Aged About 32 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Heerabatar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
19. Prabhulal Yadav, S/o Dwarika Yadav, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School, Bhunjiyapara, Lohjhar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
20. Satish Kumar, S/o Mannulal, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Taurenga, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
21. Gokulram Nishad, S/o Budharuram, Aged About 30 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Gadaghat,

Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

- 22.Navintarak, S/o Jivrakhan, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Chhatarmadai, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 23.Hirdayram Sahu, S/o Kejuram, Aged About 32 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Fuljhar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 24.Dalganjan, S/o Kaliram, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Sankara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 25.Umashankar Sahu, S/o Nakchheru Ram, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Sankara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 26.Puranlal Nishad, S/o Kanhiyalal, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Korasi, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 27.Ashok Kumar, S/o Mannu Lal, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Gadaghat, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 28.Khilawan Ram, S/o Lala Ram, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School, Fuljhar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 29.Santosh Kumar, S/o Gayaram, Aged About 39 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kanesar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 30.Smt. Ashwani Nirmalkar, W/o Anil Kumar, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Akalwara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 31.Smt. Radhika Sahu, W/o Keshavram Sahu, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Akalwara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 32.Dinesh Markam, S/o Chandra Kumar, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Heerabatar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

33. Chitranjan Singh Dhruw, S/o Mohan Lal, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Jargaon, Nawadih, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
34. Tirath Ram Thakur, S/o Guharam Thakur, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kodamal, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
35. Bijendra Thakur, S/o Lal Singh, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Karanpara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
36. Shiv Kumar Thakur, S/o Gyan Singh, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Heerabatar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
37. Jageshwar Dhruw, S/o Shyamlal, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kanesar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
38. Balram Netam, S/o Angruram Netam, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Naginbahara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
39. Smt. Dharmin Kanwar, W/o Lakhan Ram, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Patseoni, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
40. Smt. Dhaneshwari Thakur, W/o Nirmal Kumar, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Tilaidadar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
41. Smt. Kiran Thakur, W/o Mahendra Singh, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kharkhara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
42. Smt. Chitrarekha Dhruw, W/o Shri Amar Chand, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Rani Partewa, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
43. Sukhsagar Kurre, S/o Ferharam Kurre, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Gaydabari,

Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

- 44.Charan Das Dhritlahre, S/o Dhanwar Dhritlahre, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Charodapara, Birodar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 45.Bharatbaya, S/o Brijmohan, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Pendra, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 46.Ku. Sushma Gilhare, D/o Kartikram, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Ranipartewa, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 47.Rinu Saxena (Kurre), S/o Nand Kumar Saxsena, Aged About 31 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kamarpara Pond, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 48.Mahendra Kumar Kosriya, S/o Kripalram, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Ghatkarra, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 49.Ishwar Singh Netam, S/o Pardeshi Netam, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Dadargaon (Maya), Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 50.Rupesh Kumar Sharma, S/o Ram Dulare, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Naginbahara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 51.Smt. Lata Sahu, W/o Shri Ashwani Sahu, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Jidar, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 52.Deendayal Tandon, S/o Tulatram Tandon, Aged About 37 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Gonbora, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 53.Smt. Narmada Dhruw, W/o Shri Santosh Dhruw, Aged About 35 Years Working As Shikasha Karmi Grade-III At Govt. Primary School Devri, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

54. Ashwani Kumar Netam, S/o Sudarshan Singh Netam, Aged About 40 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Fulbahara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
55. Yadram Sahu, S/o Shri Nohar Singh Sahu, Aged About 42 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kanfad, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
56. Keshram Sahu, S/o Yadram Sahu, Aged About 49 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kamarpara (Fingeshwari), Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
57. Chetan Lal Dhruw, S/o Leelaram Dhruw, Aged About 37 Years Working As Teacher (Panchayat) At Govt. Middle School Rajankata, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
58. Ashwani Sahu, S/o Nand Kumar Sahu, Aged About 44 Years Working As Teacher (Panchayat) At Govt. Girls Middle School Atarmara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
59. Khoboram Markam, S/o Kewal Ram, Aged About 45 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kamarpara Charouda, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
60. Smt. Yashoda Deewan, W/o Kush Kumar Deewan, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Patseoni, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
61. Neelam Chandra, S/o Bhaktbhushan Chandravanshi, Aged About 39 Years Working As Assistant Teacher (Panchayat) At Govt. Middle School Bodrabandha, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
62. Neelu Dau, W/o Vinod Deewan, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Middle School Kutena, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
63. Sudhir Mishra, S/o Parmanand Mishra, Aged About 44 Years Working As Lecturer (Panchayat) At Govt. H. S. S. School Dulla, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
64. Mishri Lal Sinha, S/o Pushkar Sinha, Aged About 46 Years Working As Lecturer (Panchayat) At Govt. H. S. S. School Kansinghi, Block

Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

- 65.Dharmraj Sahu, S/o Gosairam Sahu, Aged About 48 Years Working As Lecturer (Panchayat) At Govt. H. S. S. School Akalwara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 66.Suresh Kumar Verma, S/o Dilip Verma, Aged About 48 Years Working As Lecturer (Panchayat) At Govt. H. S. S. School Akalwara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 67.Prakash Vaishnav, S/o Shri B. D. Vaishnav, Aged About 40 Years Working As Lecturer (Panchayat) At Govt. H. S. S. School Khadma, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 68.Smt. Bhuneshwari Deewan, W/o Ramlal Deewan, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Shuklapara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 69.Smt. Chandrakala Thakur, W/o Fagun Singh, Aged About 33 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Nawadih, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 70.Bhanu Pratap Dhruw, S/o Balram Singh, Aged About 34 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Rajankata, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 71.Smt. Tej Dhruw, W/o Deen Bandhu Dhruw, Aged About 31 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Piparchhedi, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 72.Yashwant Nagesh, S/o Chamar Singh, Aged About 36 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kurrapara, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 73.Ashok Nagesh, S/o Budhram Nagesh, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Khaliyapani, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.
- 74.Santram Kanvar, S/o Jivan Lal Kanvar, Aged About 35 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School Kanfad, Block Chhura, Civil And Revenue District Gariyaband Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat, Mahanadi Bhawan, Mantrayala, New Raipur, District Raipur (Chhattisgarh)
2. Additional Chief Executive Officer, Janpad Panchayat Chhura District Gariyaband Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat Chhura District Gariyaband Chhattisgarh.

---- Respondent

And

WPS No. 4771 Of 2017

1. Khelawan Singh Dhruw S/o Late Shri Anand Ram Dhruw, Aged About 37 Years Assistant Teacher (P) Govt. Primary School Saragaon Block - Chuurra Tahsil Chuura, District Gariyaband Chhattisgarh.
2. Smt. Laxmi Venu Tiwari, W/o Shri Deepak Kumar Tiwari, Aged About 35 Years Lecturer (P) Govt. Higher Secondary School Khadma, Block - Chhurra Janpad Panchayat, Chhura District Gariyaband Chhattisgarh.
3. Deepak Kumar Tiwari, S/o Shri Tilak Prasad Tiwari, Aged About 38 Years Assistant Teacher (P) Govt. Primary School Hardi, Block - Chhurra Janpad Panchayat, Chhura, District Gariyaband Chhattisgarh.
4. Smt. Madhuri Yadav, W/o Shri Shankar Lal Yadav, Aged About 39 Years Teacher (P) Govt. Primary School Khadma, Block - Chhurra Janpad Panchayat, Chhura District Gariyaband Chhattisgarh.
5. Ku. Mamta Dhruw, D/o Shri Jamun Lal Dhruw, Aged About 34 Years Assistant Teacher (P) Govt. Primary School Nawapara, Madeli Block - Chhurra Janpad Panchayat, Chhura, District Gariyaband Chhattisgarh.
6. Smt. Indumati Rajput, W/o Shri Pradeep Singh Rajput, Aged About 33 Years Assistant Teacher (P) Govt. Primary School Hardi, Block - Chhurra Janpad Panchayat, Chhura, District Gariyaband Chhattisgarh.
7. Smt. Kalyani Verma, W/o Shri Raj Kumar Verma, Aged About 45 Years Teacher (P) Govt. Middle School Gidhni, Block - Chhurra Janpad Panchayat, Chhura, District Gariyaband Chhattisgarh.
8. Chunni Lal Sonwani, S/o Shri Bhagela Ram Sonwani, Aged About 36 Years Assistant Teacher (P) Govt. Primary School Boairgaon Block - Chhurra Janpad Panchayat, Chhura, District Gariyaband Chhattisgarh.
9. Dalu Ram Kamar, S/o Shri Amar Singh Kamar Aged About 45 Years

Teacher (P) Govt. Middle School, Ghoghara Block - Chhurra Janpad Panchayat, Chhura, District Gariyabanc Chhattisgarh.

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through The Secretary Panchayat And Social Welfare Department, Indrawati Bhawan Naya Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. Block Education Officer, Chhurra District Gariyaband Chhattisgarh.

---- **Respondent**

And

WPS No. 4772 Of 2017

1. Mahendra Kumar Sahu S/o Shri Janak Ram Sahu, Aged About 37 Years Assistant Teacher (P) Govt. Primary School Darripara, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
2. Shantosh Kumar Dani S/o Shri Raghunath Dani, Aged About 36 Years Assistant Teacher (P) Govt. Primary School Naginbahara, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
3. Parmanand Thakur S/o Shri Shoban Ram Thakur, Aged About 37 Years Assistant Teacher (P) Govt. Primary School Patparpalli, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
4. Rajesh Sahu S/o Shri Bhushan Lal Sahu, Aged About 33 Years Teacher Panchayat At Govt. Middle School Ghoghara, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
5. Mohit Ram Dhruw S/o Shri Man Singh Dhruw, Aged About 36 Years Assistant Teacher (P) Govt. Primary School Jargaon, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
6. Smt. Rambati Dhruw W/o Shri Mohit Ram Dhruw, Aged About 36 Years Assistant Teacher (P) Govt. Primary School Nawadih Jargaon, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
7. Dwarka Prashad Dhruw S/o Shri Punit Ram Dhruw, Aged About 41 Years Assistant Teacher (P) Govt. Primary School Koshanpani, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through The Secretary Panchayat And Social Welfare Department, Indrawati Bhawan Naya Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Block Education Officer, Chhurra, District Gariyaband, Chhattisgarh.

---- Respondent

And

WPS No. 4748 Of 2017

1. Dev Sharan Sahu S/o Shri Nand Kumar Sahu, Aged About 34 Years Assistant Teacher (P) Govt. Primary School Panktiya , Block Chhurra, Tahsil Chhurra, District Gariyaband Chhattisgarh.
2. Smt. Hemlata Sinha, W/o Shri Roop Singh Sinha, Aged About 33 Years Assistant Teacher (P) Govt. Primary School Harijanpara, Rani Parteva, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
3. Smt. Yashomati Yadav, W/o Shri Dev Narayan Yadav, Aged About 34 Years Assistant Teacher (P) Govt. Primary School Mudhagaon , Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
4. Smt. Mamta Yadu, W/o Shri Shankar Lal Yadu Aged About 35 Years Assistant Teacher (P) Khairjhati, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
5. Ayub Ali, S/o Shri Abdul Ali, Aged About 40 Years Govt. Assistant Teacher (P) Primary School Saragaon, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
6. Smt. Bhuneshwari Patel, W/o Shri Dhanesh Kumar Patel, Aged About 33 Years Assistant Teacher (P) Govt. Primary School Boriyajhar, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
7. Santosh Kumar Sahu, S/o Shri Anoop Ram Sahu, Aged About 45 Years Govt. Assistant Teacher (P) Govt. Primary School Kamartola Raveli , Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
8. Gendram Thakur, S/o Shri Dauva Ram Thakur, Aged About 41 Years Teacher (P) Govt. Middle School Raveli , Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.
9. Prem Narayan Dhruw, S/o Shri Johat Ram Dhruw, Aged About 42 Years

Teacher (P) Govt. Middle School Jargaon, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.

- 10.** Dhani Ram Dhruw, S/o Shri Manrakhan Dhruw, Aged About 41 Years Assistant Teacher (P) Govt. Primary School Gidhni, Block Chhurra, Janpad Panchayat Chhurra, District Gariyaband Chhattisgarh.

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through Secretary, Panchayat And Social Welfare Department, Indravati Bhawan, Mantralaya, Naya Raipur, Chhattisgarh
2. Block Education Officer, Chhurra, Gariyaband, District Gariyaband Chhattisgarh.

---- **Respondent**

And

WPS No. 4890 Of 2017

1. Goverdhan Prasad Yadu S/o Shri Jeevrakhan Yadu, Aged About 46 Years Assistant Teacher (P) Primary School Bodrabandha Block Chhurra Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
2. Meghraj Didi S/o Shri Mangal Das Didi, Aged About 36 Years Assistant Teacher (P) Primary School Chattanpara Block Chhurra Janpad Panchayat, Chhura, District Gariyaband, Chhattisgarh.
3. Smt. Purnima Devangan, W/o Shri Hemant Devangan, Aged About 37 Years Assistant Teacher (P) Primary School Churkidadar Block Chhurra Janpad Panchayat, Chhura, District Gariyaband, Chhattisgarh.
4. Smt. Urmila Dhruwa W/o Shri Lekhu Ram Dhurwa, Aged About 34 Years Assistant Teacher (P) Kanya Ashram Bamhni Block Chhurra Janpad Panchayat, Chhura, District Gariyaband, Chhattisgarh.
5. Gulab Shingh Shouri S/o Shri Shyam Lal Shouri, Aged About 33 Years Assistant Teacher (P) Primary School Daripara Block Chhurra Janpad Panchayat, Chhura, District Gariyaband, Chhattisgarh.
6. Nirmal Shingh Nagesh S/o Shri Yuvraj Singh Nagesh, Aged About 41 Years Assistant Teacher (P) Primary School Boirdih, Block Chhurra Janpad Panchayat, Chhura, District Gariyaband, Chhattisgarh.
7. Smt. Jani Diwan W/o Shri Rupesh Kumar Diwan Aged About 32 Years Assistant Teacher (P) Primary School Moharadih Block Chhurra,

Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.

8. Smt. Jharna Divya W/o Shri Virendra Kumar Divya, Aged About 40 Years Assistant Teacher (P) Primary School Charoda, Block Chhurra Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through The Secretary, Panchayat And Social Welfare Department, Indrawati Bhawan Naya Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Block Education Officer, Chhurra, District Gariyaband, Chhattisgarh.

---- **Respondent**

And

WPS No. 4773 Of 2017

1. Madhaw Lal Dhruw S/o Shri Shukalu Ram Dhruw, Aged About 45 Years Assistant Teacher (P) Govt. Primary School Kamartolla Raveli, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
2. Santu Ram Kunjam, S/o Shri Bharosh Ram Kunjam, Aged About 39 Years Assistant Teacher (P) Govt. Primary School Kodigoan, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
3. Roop Nath Netam S/o Shri Dev Lal Netam, Aged About 45 Years Assistant Teacher (P) Govt. Primary School Nawapara Madeli, Block Chhura Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
4. Ku. Khemin Sahu D/o Shri Dindayal Sahu, Aged About 37 Years Assistant Teacher (P) Govt. Primary School Kurekera, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
5. Doman Kant Dhruw S/o Shri Ramji Dhruw, Aged About 31 Years Assistant Teacher (P) Govt. Primary School Pandripani, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
6. Smt. Dhaneshwari Markandey W/o Shri Narayan Lal Markandey, Aged About 32 Years Assistant Teacher (P) Govt. Primary School Hardi Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.
7. Ku. Lata Jalkhshatri, D/o Shri Asharam Jalkhshatri, Aged About 32

Years Assistant Teacher (P) Govt. Primary School Madeli, Block Chhura, Janpad Panchayat Chhura, District Gariyaband, Chhattisgarh.

---- **Petitioner**

Vs

1. State Of Chhattisgarh Through The Secretary Panchayat And Social Welfare Department, Indrawati Bhawan Naya Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Block Education Officer, Chhurra, District Gariyaband, Chhattisgarh.

---- **Respondent**

For Petitioners : Shri Ajay Shrivastava and Shri J.N. Nande, Advocates.
 For Respondent/State : Shri Adhiraj Surana, Deputy Govt. Advocate.
 For Respondents/JP, Chhura : Shri Rajnish Singh Baghel, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/11/2017

1. The petitioners would challenge the impugned action of recovery of the excess amount paid to them by taking recourse to the order passed by this Court in WPS No.5515/2012 (Laxminath Sakariya & Others Vs. State of Chhattisgarh & Another), on 2.3.2017.
2. Learned State Counsel would not dispute the propositions of law laid down in the said case. However, it is argued that the said judgment has not referred to the latest Supreme Court decision in the matter of **High Court of Punjab and Haryana and Others Vs. Jagdev Singh**¹.
3. The Hon'ble Supreme Court has laid down broad guidelines in respect

¹ (2016) 14 SCC 267

of the situations under which the recovery of the amount already paid to an employee would be impermissible in law. The relevant portion of judgment in the matter of **State of Punjab Vs. Rafiq Masih**² is reproduced hereunder:-

“18. It is not possible to postulate all situations of hardship, which would govern employees on the issue of recovery, where payments have mistakenly been made by the employer, in excess of their entitlement. Be that as it may, based on the decisions referred to herein above, we may, as a ready reference, summarise the following few situations, wherein recoveries by the employers, would be impermissible in law:

(i) Recovery from employees belonging to Class-III and Class-IV service (Group 'C' and Group 'D' service).

(ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.

(iii) Recovery from employees, when the excess payment has been made for a period in excess of five years, before the order of recovery is issued.

(iv) Recovery in cases where an employee has wrongfully been required to discharge duties of higher post, and has been paid accordingly, even though he should have rightfully been required to work against an inferior post.

(v) In any other case, where the Court arrives at the conclusion, that recovery if made from the employee, would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover.”

(Emphasis Supplied)

4. While considering the five situations in which the Supreme Court has held the recovery to be impermissible in law, the Supreme Court in its

² (2015) 4 SCC 334

latest decision in the matter of **Jagdev Singh** (Supra) has dealt with the Proposition (ii) to observe thus in para-11:-

“11. The principle enunciated in Proposition (ii) above cannot apply to a situation such as in the present case. In the present case, the officer to whom the payment was made in the first instance was clearly placed on notice that any payment found to have been made in excess would be required to be refunded. The officer furnished an undertaking while opting for the revised pay scale. He is bound by the undertaking.”

5. Thus in **Jagdev Singh** (Supra), the Proposition (i) in which all the petitioners in the present writ petitions would be categorised or covered has neither been dealt with nor the proposition has been diluted. It would therefore necessary follow that **Jagdev Singh** (Supra) has in fact approved the Proposition (i) in the matter of **Rafiq Masih** (Supra).
6. In view of the above, even if **Jagdev Singh** (Supra) is applied in the present case, the petitioners' case would be covered by the Proposition (i) in the matter of **Rafiq Masih** (Supra), which has been relied by this Court while allowing the similar writ petition in the matter of **Laxminath Sakariya**, referred to above.
7. Accordingly, all the Writ Petitions are allowed in the same terms as in the matter of **Laxminath Sakariya**, referred to above.

Sd/-
Judge
(Prashant Kumar Mishra)