

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1950 of 2017**

- Preetlal Deshlahre S/o Kaliram Deshlahre, Aged About 41 Years Presently Working As Lecturer Panchayat At Govt. High School, Tamora, Block Gunderdehi, District Balod (Chhattisgarh).

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat, Balod, District Balod (Chhattisgarh).
3. Chief Executive Officer Janpad Panchayat, Gunderdehi, District Balod (Chhattisgarh).

---- Respondent

And**WPS No. 1958 Of 2017**

- Smt. Nilima Dhomne W/o Niti Dhomne, Aged About 38 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Murmunda, Block Dogargarh, District Rajnandgaon (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Rajnandgaon, District Rajnandgaon (Chhattisgarh).
3. Chief Executive Officer Janpad Panchayat Dongargarh, District Rajnandgaon (Chhattisgarh).

---- Respondent

And**WPS No. 1951 Of 2017**

- Smt. Hemlata Deshlahre W/o Pritlal Deshlahre, Aged About 37 Years

Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Ghughua, Block Patan, District Durg (Chhattisgarh).

---- **Petitioner**

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Durg, District Durg (Chhattisgarh).
3. Chief Executive Officer,, Janpad Panchayat, Patan, District Durg (Chhattisgarh).

---- **Respondent**

And

WPS No. 1956 Of 2017

- Savitri Yadav Now Savitri Yadu W/o Jitendra Kumar Yadav, Aged About 34 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Pond, Block Abhanpur, District Raipur (Chhattisgarh).

---- **Petitioner**

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Raipur, District Raipur (Chhattisgarh).
3. Chief Executive Officer Janpad Panchayat Abhanpur, District Raipur (Chhattisgarh).

---- **Respondent**

And

WPS No. 1960 Of 2017

- Ku. Nitu Dahire D/o Mahesh Kumar Dahire, Aged About 35 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Dongri, Block Katghora, District Korba (Chhattisgarh).

---- **Petitioner**

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Korba, District Korba (Chhattisgarh).
3. Chief Executive Officer Janpad Panchayat Katghora, District Korba (Chhattisgarh).

---- Respondent

And

WPS No. 1963 Of 2017

- Mohammad Asif Khan S/o S. Khan, Aged About 42 Years Presently Working As Lecturer Panchayat At Govt. High School, Jidar, Block Mainpur, District Raipur (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through The Secretary, Department of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Raipur, District Raipur (Chhattisgarh).
3. Chief Executive Officer. Janpad Panchayat Mainpur, District Raipur (Chhattisgarh).

---- Respondent

And

WPS No. 1957 Of 2017

1. Santosh Kumar Baghel S/o Rameshar Baghel, Aged About 38 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Ghughua, Block Patan, District Durg (Chhattisgarh).
2. Smt. Abha Sen W/o Shri Lalit Sen, Aged About 35 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Ghughua (K), Block Patan, District Durg (Chhattisgarh).
3. Smt. Himoni Balajoshi Now Himoni Baghel, W/o Santosh Kumar Baghel, Aged About 33 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Gondpenri, Block Patan, District Durg (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Durg, District Durg (Chhattisgarh).
3. Chief Executive Officer,, Janpad Panchayat, Patan, District Durg (Chhattisgarh).

---- Respondent**And****WPS No. 1952 Of 2017**

- Kriparam Maheshwari S/o Mahettar Ram, Aged About 41 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Pond, Block Abhanpur, District Raipur (Chhattisgarh).

---- Petitioner**Vs**

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Zila Panchayat Raipur, District Raipur (Chhattisgarh).
3. Chief Executive Officer Janpad Panchayat Abhanpur, District Raipur (Chhattisgarh).

---- Respondent

For Petitioners	:	Shri Harish Khuntiya, Advocate
For Respondents-State	:	Shri Satish Gupta, GA with Shri Arvind Dubey, Shri Rajendra Tripathi and Ms. Sunita Jain, Panel Lawyers for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/04/2017**

1. Petitioners have prayed for a direction to the respondent authorities to count their previous service as Assistant Teacher (Panchayat) or Teacher

(Panchayat) for providing benefit of pay-scale in the light of State Government's circular dated 23.04.2016.

2. A perusal of the circular dated 23.04.2016 would clearly discern that the same has been issued for giving effect to the order passed by the Division Bench of this Court on 09.12.2015 in **Manoj Kumar Dadsena & Ors. Vs. State of Chhattisgarh & Ors. {WA No.413/2014}** and other connected matters. The State Government has clearly directed in para 3 of the circular that after due consideration it has been decided that such Teacher (Panchayat) who have been appointed on the post while working on the lower post, after seeking written permission or NOC from his employer in the lower post, shall be entitled to count their services from the date of initial appointment for the purposes of pay fixation.
3. In view of the above, all the writ petitions are disposed of with direction that in the event, petitioners prefer representation before the competent authority within a period of one month from today, seeking benefit of the circular dated 23.04.2016, the competent authority shall consider and decide the representation objectively, by an speaking order, at the earliest preferably within a period of six weeks from the date of submission of representation.
4. 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 matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge
Prashant Kumar Mishra

Ashu