

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 704 OF 2018

Shyamlal Nag, aged about 54 years, S/o Bhoj Ram Nag, occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), Government Primary School- Nawapara, Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 708 OF 2018

- Raju Kujur, aged about 44 years, S/o Balku Kujur, occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), Government Primary School- Junapara (Khamhar), Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 723 OF 2018

- Chout Ram Tandan, aged about 45 years, S/o Late Shri Muniram Tandan, occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), Government Primary School- Chunchunidand, Miriguda, Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 738 OF 2018

- Smt. Devki Kumari Dinkar, aged about 45 years, W/o Shri Panch Ram Dinkar, occupation- service, presently working as - Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), posted at- Government Primary School- Borahadand, Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 751 OF 2018

- Smt. Keso Bai, aged about 46 years, W/o Shri Sukhdev Ram, occupation- service, presently working as - Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), posted at - Government Primary School- Samniya, Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 753 OF 2018

- Lavan Kumar Patel, aged about 45 years, S/o Govind Ram Patel, occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), Government Primary School- Saarasmar (Siringa), Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 754 OF 2018

- Ku. Indro Ekka (After marriage Smt. Indro Panna), aged about 44 years, W/o Shri Prem Sai Panna, occupation- Service- presently working as - Asst. Teacher (Panchayat) (Shiksha Karmi- Gr.III), posted at Government Primary School- Raimer, Tahsil & Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 786 OF 2018

- Mange Bek, S/o Dharmu Bek, Aged About 51 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Grade. III), Government Primary School -Jaroli Aama, Tahsil And Janpad Panchayat- Dharamjaigarh, District- Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)

3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 689 OF 2018

- Smt. Rimni Bhagat W/o Mohan Ram Bhagat, Aged About 43 Years Occupation Service, Presently Working As Assistant Teacher, Panchayat(Shiksha Karmi Gr.-III) Posted At Govt. Primary School, Golabuda, Tahsil & Janpad Panchayat-Dharamjaigarh, Dist. Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 865 OF 2018

- Agneyus Kujur S/o Sukdev Kujur Aged About 44 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Grade.III), Government Primary School- Ganpatpur, Tahsil And Janpad Panchayat- Dharamjaigarh, District- Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 851 OF 2018

- Nankun Patel S/o Munku Ram Patel, Aged About 55 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Grade Iii), Government Primary School- Thakurpodi, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh (Chhattisgarh).

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 779 OF 2018

- Smt. Lili Mariam Lakda (After marriage Smt. Lili Mariam Khess), W/o Shri Suleman Khess, Aged About 42 Years, Occupation- Service, Presently Working As- Assistant Teacher- Panchayat (Shiksha Karmi Grade. III), Posted At- Government Primary School, Bandhanpur, Samniya, Tahsil And Janpad Panchayat- Dharamjaigarh, District- Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 698 OF 2018

- Maya Ram Ratre S/o Shri Janak Ram Ratre, Aged About 46 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi Grade III), Government Primary School Ranpur, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh (Chhattisgarh)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)

5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 758 OF 2018

- Smt. Suhano Sidar W/o Vinay Pande, Aged About 42 Years Occupation Service, Presently Working As Assistant Teacher Panchayat (Shiksha Karmi, Gr. III), Posted At Government Primary School, Kapu, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh (C.G.)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 778 OF 2018

- Hetram Dansena S/o Shri Shivpal Dansena, Aged About 49 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi Grade III), Government Primary School- Salka, Tahsil And Janpad Panchayat- Dharamjaigarh, District Raigarh (Chhattisgarh)

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 749 OF 2018

- Budh Ram Ratre S/o S/o Shri Hetram Ratre, Aged About 54 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi- Grade.III), Government Primary School- Tonahinara, Tahsil And Janpad Panchayat- Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)

3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 787 OF 2018

- Smt. Tej Bai W/o Shri Nirmal Ram And D/o Shri Raghuram, Aged About 42 Years, Occupation Service, Presently Working As Assistant Teacher Panchayat (Shiksha Karmi Gr.3) Posted At - Government Primary School Deepapara, Samniya Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 780 OF 2018

- Bhoklu Ram Chakradhari S/o Shri Sunaram Chakradhari, Aged About 54 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi Grade III), Government Primary School- Gotiyapara Kumarta, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh (Chhattisgarh).

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 711 OF 2018

- Choudhary Toppo, S/o Shri Munjnu Toppo Aged About 45 Years, Occupation- Assistant Teacher (Panchayat) (Shiksha Karmi- Gr.3) Government Primary School Godikhurd, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 731 OF 2018

- Smt. Rajni Rathia W/o Shri Surendra Kumar Rathia, Aged About 46 Years Occupation Service, Presently Working As Assistant Teacher Panchayat (Shiksha Karmi Gr. III), Posted At Government Primary School, Bakaruma, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh Chhattisgarh

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 811 OF 2018

- Jai Prakash Singh Rathia S/o Shri Shivraj Singh Rathia, Aged About 43 Years Occupation - Asst. Teacher (Panchayat) (Shiksha Karmi - Gr. 3) Government Primary School Kekaranara (Siringa), Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 1613 OF 2018

- Ramdhan Kuldeep S/o Shri Gandhi Ram, Aged About 53 Years Occupation Service Presently Working As Assistant Teacher, Panchayat

(Shiksha Karmi Grade III), Posted At Government Primary School Vikaynagar, Tahsil, Janpad Panchayat Dharamjaigarh, Distt. Raigarh (C.G)

... **Petitioner**

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... **Respondents**

WRIT PETITION (S) NO. 775 OF 2018

- Suleman Bek S/o Samrath Bek, Aged About 53 Years Occupation Asst. Teacher (Panchayat) (Shiksha Karmi Gr. III), Government Primary School Thakur Nagar, Jobi, Tahsil And Janpad Panchayat Dharamjaigarh, Distt. Raigarh Chhattisgarh.

... **Petitioner**

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... **Respondents**

WRIT PETITION (S) NO. 850 OF 2018

- Abraham Ram Panna S/o Chanduram Panna, Aged About 47 Years Occupation- Asst. Teacher (Panchayat) (Shiksha Karmi Grade III), Government Primary School- Thakur Nagar, Jobi, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh (Chhattisgarh)

... **Petitioner**

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... **Respondents**

WRIT PETITION (S) NO. 720 OF 2018

- Kamal Narayan Rathia S/o Mangatu Ram Rathia, Aged About 44 Years Occupation Asst. Teacher (Panchayat) (Shiksha Karmi- Grade.III), Government Primary School-Jabga, Tahsil And Janpad Panchayat-Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 730 OF 2018

- Smt. Lili Toppo W/o Shri Praful Lakda, Aged About 45 Years Occupation- Service, Presently Working As Assistant Teacher Panchayat (Shiksha Karmi Grade. III), Posted At Government Primary School Dharampur, Tahsil And Janpad Panchayat Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 725 OF 2018

- Smt. Urmila Ekka W/o Shri Irman Ekka, Aged About 43 Years Service, Presently Working As- Assistant Teacher- Panchayat (Shiksha Karmi Grade. III) Posted At Government Primary School, Pakhnakot, Tahsil And Janpad Panchayat Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)

4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

WRIT PETITION (S) NO. 745 OF 2018

- Chintamani Kewat S/o Shri Mohit Ram Kewat, Aged About 46 Years, Occupation - Assistant Teacher (Panchayat) (Shiksha Karmi - Gr. 3) Government Primary School Nayadih, Tahsil And Janpad Panchayat Dharamjaigarh, District Raigarh Chhattisgarh.

... Petitioner

versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat & Rural Development, New Mantralaya, New Raipur (C.G.)
2. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (C.G.)
3. The Deputy Director, Department of Panchayat, District Raigarh (C.G.)
4. The Block Education Officer, Block- Dharamjaigarh, District Raigarh (C.G.)
5. The Chief Executive Officer, Janpad Panchayat- Dharamjaigarh, District Raigarh (C.G.)

... Respondents

-
- Mr. A.N. Bhakta, Advocate, along with Mr. Vivek Bhakta, Advocate, for the Petitioners.
 - Mr. Ajeet Kumar, Advocate, for the Petitioner in WPS No. 1613/2018.
 - Mr. Syed Majid Ali, Dy. Govt. Advocate, for Respondent-State.
 - Mr. Dheeraj Wankhede, Advocate along with Mr. Mayank Kumar, Advocate for Respondent-Janpad Panchayat, Dharamjaigarh.
-

Hon'ble Shri Justice P.Sam Koshy

C A V Order

Delivered on 28/03/2018

1. This bunch of writ petitions have been filed assailing the similar/identical nature of impugned order (Annexure P-1) whereby the Respondent No.5 has issued an order of recovery against each of the Petitioners.

2. The said order of recovery is pursuant to a wrong fixation of pay provided to the Petitioners which later on was detected, which led to the issuance of the impugned order.
3. Since the factual matrix of each of the cases being identical in nature, the pleadings, submissions and contentions also being identical in nature on either side, this Court proceeds to decide this bunch of writ petitions by this common judgment.
4. The moot question for consideration in these cases is, whether the Petitioners who have specifically given an undertaking to the department granting liberty and no objection to the department to recover any excess payment if made by virtue of an erroneous fixation of pay can now challenge the order of recovery issued.
5. Brief facts of these cases are that each of the Petitioners in different writ petitions are working as Assistant Teacher (Panchayat) under Respondent No.5. The initial appointment of all these Petitioners was as Shiksha Karmi (Grade-III), the post which has since been classified as Assistant Teacher (Panchayat). The Petitioners were drawing the salary that of Shiksha Karmi (Grade-III) fixed by the Government from time to time. The Respondents initially issued a circular on 2.11.2011 holding that all those Shiksha Karmis working in different grades and who have not received promotion till now and have also completed 10 years of services, they would be entitled for the benefit of Kramonnati and the different pay-scales on Kramonnati was fixed as under:

S.N.	Shiksha Karmi Grade	Present Pay-Scale	Kramonnati Pay-Scale
1.	Grade-01	Rs. 5300-150-8300	Rs. 6800-200-10800

2.	Grade-02	Rs. 4500-125-7000	Rs. 5300-150-8300
3.	Grade-03	Rs. 3800-100-5800	Rs. 4500-125-7000

6. Thereafter, in compliance to the order dated 2.11.2011, the pay-scale which was granted to the Petitioners was that of Rs. 4500-125-7000. This was granted with effect from 31.10.2012. Subsequently, the Respondents issued another circular on 17.5.2013 (Annexure P-3) again revising the pay-scales payable to the Teachers in the Shikshak (Panchayat) cadre who have completed 8 years of service and it was ordered that they shall be entitled for the wages at par with the Government Teachers. The sanctioned pay-scale of the Teachers in the Shikshak (Panchayat) cadre was as under:

S.N.	Shikshak (Panchayat) Cadre	Present Pay-Scale	Revised Pay-Scale
1.	Lecturer (Panchayat)	Rs. 5300-150-8300	Rs. 9300-34800+4300
2.	Shikshak (Panchayat)	Rs. 4500-125-7000	Rs. 9300-34800+4200
3.	Asstt. Shikshak (Panchayat)	Rs. 3800-100-5800	Rs. 5200-20200+2400

7. In compliance to the circular dated 17.5.2013, the Respondents while granting the Petitioners the advantage of the pay-scale of Government Teacher fixed the Petitioners in the pay-scale of Rs. 5200-20200+2400.
8. This granting of the pay-scales of RS. 5200-20200+2400 was not acceptable to the Petitioners and they filed writ petitions before the High Court, one such writ petition is W.P.(S) No. 1837 of 2014. The said writ petition got disposed of on 14.4.2014. While disposing the said writ petition, this Court held as follows:

“In view of above, this petition is disposed of. However, if the petitioner files fresh representation along with copy of this petition, the respondent No.5 is directed to decide the same in accordance with rules on its own merits as early as possible preferably within a period of three months from the date of receipt of representation. No order as to costs.

It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authority may decide the representation on its own merits.”

9. The perusal of the order dated 14.4.2014 would reveal that the claim of the Petitioners was that they are entitled for the revised pay-scale as per the circular dated 17.5.2013. After the disposal of the writ petition, the Petitioners made a representation requesting the Respondent No.5 to ensure that the Petitioners are provided the pay-scale of Rs. 9300-34800+4200 and subsequently the Petitioners were granted the pay-scale of Rs. 9300-34800+4200 which the Petitioners have been drawing for quite some time till abruptly when the impugned order (Annexure P-1) was passed whereby it was held that the Petitioners in fact were not entitled for the pay-scale of Rs. 9300-34800+4200 and accordingly while re-fixing the salary of the Petitioner in the pay-scale of Rs. 5200-20200+2400, it was ordered that the excess of the payment which has been paid to the Petitioners on account of wrong fixation while granting of the salary in the scale of Rs. 9300+34800+4200 to be recovered on equal installments from the wages of the Petitioners. It is this order of recovery which is under challenge in the present writ petitions.
10. According to the petitioners, they are not in any manner responsible for the erroneous fixation of pay made by the respondents. If on

account of fault of the department the petitioners have received certain excess money, the respondents are estopped from recovering the same as has been laid down by the Supreme Court in case of State of Punjab & Ors. Vs. Rafiq Masih (White Washer) & Ors. 2015 (4)SCC 334 . It is the contention that each of the petitioners case squarely fall within the law that has been laid down in case of Rafiq Masih (Supra) and the parameters laid down in the said judgment by which the Supreme Court has held that the recovery under those parameters is impermissible under law.

11. The contention of the petitioners are that, firstly they are all Class-III employees. There has been no misrepresentation or false representation made by the petitioners while obtaining the benefit of wrong fixation. It was also contended that the petitioners by virtue of being low paid Class-III employee are subjected to recovery of excess payment made to them that too on the fault of the employer/State. The petitioners would be put to irreparable inconvenience and loss. In support of their contentions, they relied upon judgment of this court in case of Laxminath Sakariya and Ors. Vs. State Of Chhattisgarh And Anr. WPS No.5515 of 2012, decided on 02.03.2017. In addition, the petitioners also relied upon the decision of Supreme Court in case of Sahib Ram Verma Vs. The State of Haryana and Others, 1995 Suppl.(1) SCC 18, Rafiq Masih (Supra) and again recent decision of this High Court in case of Vinod Sinha Vs. State of Chhattisgarh, WPS No.3705 of 2017, decided on 27.11.2017.
12. It was also contention of the petitioner that the order of recovery is also bad in law for the reason that the same has been passed

without complying with the basic principles of natural justice of providing an opportunity of hearing. In the absence of there being an opportunity of hearing or show cause notice not having been issued to the petitioners before the impugned order of recovery having been passed, the same is not sustainable and also thus violative of Articles 14 and 21 of the Constitution of India and therefore the impugned recovery order deserve to be set aside.

13. Per contra counsel for the State opposing the petitions submits that the facts of all the cases and the order of recovery passed in these cases stand squarely covered by the decision of the Supreme Court in case of High Court of Punjab & Haryana and Others Vs. Jagdev, 2006(14)SCC 267. The counsel appearing for the respondents No.2 and 5 also contended that the erroneous fixation of pay made to the petitioner was on the representation made by them and in their representation itself they had given a specific undertaking that they be provided with the upper pay scale and in the event at any point of time if it is found that they are not entitled for the said pay scale, they would not have any objection if the said excess amount is recovered from them.
14. According to counsel for the respondents No.2&5, since each of the petitioners have given a specific individual undertaking permitting the respondents to initiate recovery proceeding in the event of a wrong fixation having been made, they now cannot cry foul against the order of recovery. Rather, they are estopped from challenging the same by virtue of undertaking given by them. According to respondents, since there has been specific undertaking given by each of the petitioners and thereafter if the order of recovery has

been issued, it cannot be said that the order of recovery is in any manner bad in law or erroneous.

15. It was also contended that since there was an undertaking on behalf of the petitioners, it would have been an empty formality if the show cause notice would have been issued to the petitioners before recovery. Under such circumstances also, the order of recovery does not warrant interference and all the writ petitions deserve to be rejected.

16. Having heard the rival contentions put forth on either side and on perusal of records, true it is that the Supreme Court in the authoritative decision in case of Rafiq Masih (Supra) in paragraph 18 has laid down certain situations wherein recovery by the employer would be impermissible. The situations as envisaged in the said paragraph are as under :

“(i) Recovery from employees belonging to Class-III and Class-IV service (or 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 a 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.”

A plain reading of the aforesaid situations, it would reflect that except for the situation number-1, none of the situations can be made applicable so far as the petitioners case is concerned. At the

same time, what also cannot be lost sight of is that all the petitioners are still working under the respondents and have got quite a service left. Further, it also reveals that wrong fixation of pay is not very old or a stale case which has been now to be recovery. What also needs to be appreciated is the fact that the petitioners were all initially appointed as Shiksha Karmi Grade III. Later on, the post was classified as Assistant Teacher (Panchayat).

17. The State Govt. had initially on 02.11.2011 issued an order granting the benefit of Kramonnati to all those Shiksha Karmies who have completed 10 years of service and not received promotion, being entitled for Kramonnati. Later on, the State Govt. again issued another order dated 17.05.2013 whereby the pay scale of the Teacher (Panchayat) cadre was revised and where the pay scale for the different cadres in the Teacher Cadre was fixed as under :

क्र.	शिक्षक (पंचायत) संवर्ग	वर्तमान वेतन	पुनरीक्षित वेतनमान
1	ब्याख्याता (पंचायत)	रु.5300—150—8300	9300—34800+4300
2	शिक्षक (पंचायत)	4500—125—7000	9300—34800+4200
3	सहायक शिक्षक (पंचायत)	3800—100—5800	5200—20200+2400

18. This circular would reveal that the Assistant Teacher (Panchayat) were granted revised pay scale of Rs. 5200-20,200+2400 and for the Teacher (Panchayat) the revised pay scale was Rs. 9300-34,800+4200. It is this revised pay scale payable to the Teacher (Panchayat) which has been erroneously paid to the petitioners who otherwise substantially are holding the post of Assistant Teacher (Panchayat). It is for this claim that the petitioners had filed the writ petition WPS No.1837 of 2014 which got disposed of with a direction to the petitioners on 14.04.2014 to prefer representation and the

respondents, in turn, were directed to decide the same expeditiously. Subsequently, it is this payment to the petitioners which were acceded by the respondents and granted the pay scale to the petitioners of Rs.9300-34,800+4200. This was subsequently detected by the Accounts Department of the respondent to have been erroneously granted to the petitioners which they were not otherwise supposed to and that the pay scale which the petitioners are otherwise entitled is that of Rs.5200-24200+2400 which led to the issuance of impugned order of recovery.

19. Though the contention of the petitioners are that the pay scale of Rs.9300-34800+4200 was the revised pay scale of Rs.4500-125-7000 and vide order dated 02.11.2011 while granting benefit of Kramonnati to Shiksha karmies who have completed 10 years of service, they were put in the pay scale of Rs.4500-125-7000, and therefore, the petitioners have been rightly provided the pay scale of Rs.9300-34800+4200. This contention of the petitioners may not be acceptable for the reason that the order dated 02.11.2011 is not an order of revision of pay scale, but is an order granting benefit of Kramonnati and whereas the order dated 17.05.2013 is an order revising the pay scale and therefore, the petitioners would be entitled for pay scale prescribed for the post substantively held by the petitioners which is that of Assistant Teacher (Panchayat).

20. From the afore given facts what also is clear is the fact that the petitioners in fact had been rightly granted the pay scale of Rs.5200-20200+2400/- after the revision of pay vide order dated 17.05.2013. What is also evident is the fact that it was the petitioners who were not convinced that they were entitled the scale of Rs.5200-

20200+2400 rather they wanted the pay scale of Rs.9300-34800+4200 and it was for this that they had made repeated representations and had also filed a writ petition wherein also there was a direction by the High Court to consider the case of the petitioners in the light of the circular dated 17.05.2013 and thereafter inadvertently/erroneously the petitioners were granted the benefit of the pay scale of Rs.9300-34800+4200/-, which was detected after a while which led to the issuance of the impugned order of recovery.

21. On a specific quarry being made to the counsel for the petitioners he has fairly admitted the fact that they only intend to challenge the recovery part and not the rectification part. Another aspect which cannot be brushed aside is the wordings of the representations/undertaking made by each of the petitioners wherein it has been specifically stated by the petitioners that according to them as per the circular dated 17.05.2013 they are entitled for pay scale of Rs.9300-34800+4200/-. That, since by virtue of the benefit of Kramonnati vide order dated 02.11.2011, they were placed in the pay scale of Rs.4500-125-7000/- and vide circular dated 17.05.2013 the revised pay scale for Rs.4500-125-7000/- was Rs.9300-34800+4200/- and in case if at a later stage it is found that the petitioners have been wrongly paid the scale of Rs.9300-34800+4200/-, the petitioners had given a specific undertaking for recovery of the excess amount recovered and also giving an undertaking that the Government would be at liberty to carry out the rectification part so far as erroneous fixation of pay is concerned. For ready reference one such sample undertaking made by each of

the petitioners is reproduced herein under which is also an annexure with the reply filed by the respondent No.5 :

“अतः उक्त संदर्भित माननीय उच्च न्यायालय बिलासपुर छ.ग. के द्वारा मामला क्र. WPS No. 1837/2014 दिनांक 14.04.2014 के पारित निर्णय के परिपालन में प्रार्थी को क्रमोन्नत वेतनमान 4500-125-7000 के आधार पर पुनरीक्षित वेतनमान 9300-34800+4200 के आधार पर वेतन निर्धारण कर भुगतान करने की कृपा करें। भविष्य में उक्त वेतनमान के आधार पर देय वेतन पर किसी भी प्रकार की वसूली होगी तो प्रार्थी वसूली देने के लिए तैयार है या वेतन से कटौती करने पर प्रार्थी को कोई आपत्ति नहीं होगी।”

22. It has been categorically stated by the counsel appearing for the respondents that each of the petitioners who have filed the writ petition have also given similar undertaking permitting the respondents to recover in case of any erroneous fixation is done and as a result if certain excess payment is made to the petitioners. Taking the said undertaking into advantage, if we consider the judgment of the Hon'ble Supreme Court in the case of “Jagdev Singh” (supra), it would be relevant at this juncture to quote paragraphs No.8, 9, 10 & 11 :

“8. The order of the High Court has been challenged in these proceedings. From the record of the proceedings, it is evident that when the Respondent opted for the revised pay scale, he furnished an undertaking to the effect that he would be liable to refund any excess payment made to him. In the counter affidavit which has been filed by the Respondent in these proceedings, this position has been specifically [1]admitted. Subsequently, when the rules were revised and notified on 7-5-2003 it was found that a payment in excess had been made to the Respondent. On 18-2-2004, the excess payment was sought to be recovered in terms of the undertaking.

9. The submission of the Respondent, which found favour with the High Court, was that a payment which has been

made in excess cannot be recovered from an employee who has retired from the service of the state. This, in our view, will have no application to a situation such as the present where an undertaking was specifically furnished by the officer at the time when his pay was initially revised accepting that any payment found to have been made in excess would be liable to be adjusted. While opting for the benefit of the revised pay scale, the Respondent was clearly on notice of the fact that a future re-fixation or revision may warrant an adjustment of the excess payment, if any, made.

10. In State of Punjab & Ors etc. vs. Rafiq Masih this Court held that while it is not possible to postulate all situations of hardship where payments have mistakenly been made by an employer, in the following situations, a recovery by the employer would be impermissible in law:

(i) Recovery from employees belonging to Class-III and Class-IV service (or 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 a 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.”

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.”

23. If we read the judgment of the Hon'ble Supreme Court in the case of “Jagdev Singh” (supra), it would reveal that they had also considered the earlier judgment of the Hon'ble Supreme Court in the case of “Rafiq Masih” (supra) and keeping in view the judgment and the parameters laid down in the judgment of “Rafiq Masih” (supra) the Hon'ble Supreme Court in the case of “Jagdev Singh” (supra) held that where there is a specific undertaking given, the judgment of the “Rafiq Masih” (supra) shall not come into play.
24. Under no circumstances would the petitioners be entitled for the pay scale which is otherwise payable to the Teacher Panchayat as undisputedly all the petitioners are working as an Assistant Teacher Panchayat. They would get the protection of pay scale which they had received as a consequences of getting the benefits of Kramonnati.
25. A bare perusal of the undertaking itself would reveal that it was the specific request which they had made for grant of pay scale of Rs.9300-34800+4200/-. What can be safely concluded from the aforesaid representation/undertaking made by the petitioners is that if it had not been the said undertaking or the representation by the petitioners and the Writ Petition filed by the petitioners for the said

relief, the respondents perhaps would not have granted the benefit to the petitioners.

26. Thus, it can also be safely concluded that the erroneous fixation of pay occurred because of the representation which the petitioners had made and therefore it can also be said that the erroneous fixation occurred at the behest of the petitioners and that the respondents alone are not solely responsible.

27. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the issue involved in the instant case would stand squarely covered by the judgments of Jagdev Singh (Supra) so also the judgment of Rafiq Masih (Supra) would not be applicable in the given factual background.

28. Given the facts particularly in the light of the representation made by the petitioners, the Writ Petition that they had filed and the specific undertaking that they had given coupled with the fact that the petitioners had been given the pay scale of Rs.5200-20200+2400/- and it was at the insistence of the petitioners that they were wrongly granted the scale of 9300-34800+4300/- this Court does not find any illegality on part of the respondents while issuing the order of recovery and for rectification of the erroneous fixation of pay and all the Writ Petitions thus being devoid of merit and deserve to be and are accordingly dismissed.

**Sd/-
(P. Sam Koshy)
Judge**

Ved