

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 4502 of 2018

1. Smt. Yogita Sahu W/o. Shri Devendra Kumar Sahu, Aged About 38 Years, Working As Training Officer And Posted At Govt. I.T.I. Arang, District Raipur Chhattisgarh.
2. Sergius Xalxo S/o Shri Albis Xalxo, Aged About 43 Years, Working As Training Officer And Posted At Govt. I.T.I. Raigarh, District Raigarh Chhattisgarh.
3. Smt. Rashmi Dewangan W/o. Shri Ravi Dewangan, Aged About 32 Years, Working As Training Officer And Posted At Govt. I.T.I. Raigarh, District Raigarh Chhattisgarh.
4. Dinesh Borkar S/o Shri Punaram Borkar, Aged About 37 Years, Working As Training Officer And Posted At Govt. I.T.I. Bemetara, District Bemetara Chhattisgarh.
5. Ashok Kumar Dewangan S/o Shri Ganesh Ram Dewangan, Aged About 30 Years, Presently Working As Training Officer At Govt. I.T.I. Mana, District Raipur Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Skill Development, Technical Education And Employment, Department, Mahanadi Bhawan Naya Raipur Chhattisgarh.
2. Director, Directorate Employment And Training, Indrawati Bhawan, New Raipur Chhattisgarh.
3. Director, Directorate General Of Training, Employment Exchange Building, Library Avenue, Pusa Road, Beside I T I Pusa, Karol, Bagh, New Delhi (India).
4. Director, Higher Training Institute, Vidyanagar, Haidrabad (Anndhrapradesh).
5. Director, Higher Training Institute (ATI/EPI), Green Park, Niranjanpur, Dehradun (Uttarakhand).

---Respondents

For petitioners	:	Shri Somkant Verma, Advocate.
For State	:	Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

11/07/2018

1. The State counsel is directed to accept notice on behalf of the respondents No. 1 to 5.
2. The challenge in the present Writ Petition is to the order Annexure-P/1 dated 24/05/2018 whereby the petitioners who are working as a Training Officer since January-2013 have been ordered to go in for training of ATI/CTI of 1 year consisting of two semesters.
3. The contention of the counsel for the petitioners is that, as per rules, if a training officer has put in more than 5 years of service, then he/she need not undergo training of 1 year. It is only a training of 3 months that would be required and this 1 year training is for those persons who have not completed 3 years of service. He further submits that, in the instant case, since the petitioners were appointed in January-2013 they have already put in more than 5 years of service, the impugned order dated 24/05/2018 is therefore bad in law to the extent of sending the petitioners for a training of 1 year whereas it ought to have been for 3 months.
4. The State counsel however opposed the petition with only a doubt of whether the petitioners were infact appointed in January-2013 or not. However, he does not dispute the fact that as per rules, if they have put in 5 years of service, they need not go in for training of 1 year, but the training for them would be that of 3 months.
5. Given the aforesaid factual matrix of the case, this Court does not intend to keep the Writ Petition pending any further.

6. Let the petitioners file their objections before the respondent No.2 in respect of their grievance within a period of 10 days from the date of receipt of the copy of this order. The respondent No.2 in turn shall consider and decide the objections of the petitioners in the light of the provisions of the **Chhattisgarh Industrial Training (Non-Gazetted) Class-III Service Recruitment Rules, 2014** within a further period of 45 days for the date of receipt of objections from the petitioners.

7. Till the objection if so filed by the petitioners within the time prescribed is decided by the respondent No.2, they shall not act upon the impugned order Annexure-P/1.

8. With the aforesaid direction, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit