

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 4874 of 2018**

Chintamani Behara S/o Dhoba Ram Behara, Aged About 50 Years,
 Posted at Government Higher Secondary School, Madanpur, Block
 Kharsiya, District Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Director, Tribal Development Department, Raipur, District Raipur Chhattisgarh
3. Commissioner, Schedule Tribe and Schedule Caste Development Department, Raipur, District Raipur, Chhattisgarh
4. Collector, Raigarh, District Raigarh, Chhattisgarh
5. Chief Executive Officer, Zila Panchayat Raigarh, District Raigarh Chhattisgarh
6. District Education Officer, Raigarh, District Raigarh, Chhattisgarh
7. Block Education Officer, Kharsiya, District Raigarh, Chhattisgarh
8. National Securities Depository Limited (N.S.D.L.), Head Office Mumbai, Address Trade World, A Wing 4th and 5th Floors, Kamala Mills Compound, Lower Parel, Mumbai - 400013

---- Respondents

For Petitioner	:	Shri Kamlesh Kumar Pandey, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****31/07/2018**

The grievance of the petitioner is the communication dated 14.02.2014 whereby the petitioner has been made to fill up certain forms

where his date of appointment has been shown different than the actual date of appointment in the department.

2. Perusal of the record shows that similarly placed persons had on an earlier occasion filed a writ petition i.e. WPS No. 5063/2014 and the said writ petition got disposed of on 25.09.2014 making following observations at the instance of the counsel appearing for the State. For ready reference the relevant portion of the said writ petition is reproduced hereinunder:

“Learned counsel for the State submits that such requirement of recording 1st April, 2004 as the date of joining is only for limited purpose of preparing e-records and issuance of PRAN Card and the order itself is very clear that it will not have any effect on the correct and actual date of appointment in service.

After hearing learned counsel for the parties, taking into consideration the clear stipulation in the impugned communications particularly the submission made by learned counsel for the State, apprehension, if any in the mind of the petitioners, should not be there any more. It is made clear that such an entry made in the concerned forms will be for the limited purpose as communicated in the impugned communications and it will not affect any of the right of the petitioners and for all legal purpose, the date of entry into service as has already been recorded in the service records, seniority list which exists on today, alone shall be considered.”

3. The petitioner is also an identically placed person. The submission so made by the State counsel and the directives given by this Court in the said writ petition would be therefore binding upon the petitioner as well as the respondents also.

4. In the light of the directives and the observations made by this Court in WPS No. 5063 of 2014 dated 25.09.2014, this Court does not find any strong reason requiring issuance of any further directives except for

holding that the said directives would also be applicable so far as the petitioner in the present case is concerned.

5. The writ petition is accordingly stands disposed of in similar terms.

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