

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 6833 of 2018**

1. Jai Prakash Singh Rathia S/o Shivraj Singh Rathia, Aged About 44 Years, Posted At Government Primary School Kekranara, Block Dharamjaigarh, District Raigarh Chhattisgarh.
2. Dileshwar Singh S/o Dhadhu Singh, Aged About 46 Years, Posted At Government Higher Secondary School Kodasiya, Block Lailinga, District Raigarh Chhattisgarh.

---- Petitioners**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 Petitioners	:	Shri Kamlesh Kumar Pandey, Advocate.
For Respondent/State	:	Shri Ratan Pusty, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/10/2018**

The grievance of the petitioners is the communication dated 14.02.2014 whereby the petitioners have been made to fill up certain forms where their 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 petitioners are 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 petitioners 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 petitioners in the present case is concerned.

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

Sd/-
(P. Sam Koshy)
JUDGE