

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1350 of 2019**

Manish Kumar Ghore S/o Surya Bihari Ghore Aged About 39 Years
Presently Working As Lecturer (L.B.) At Government Higher Secondary
School, Basti Blcok Gourela, District - Bilaspur Chhattisgarh., District :
Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Executive Officer Zila Panchayat Bilaspur, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. District Education Officer Bilaspur, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Block Education Officer Pendra, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Principal Government Higher Secondary School, Basti Block Pendra, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Mr. CJK Rao, Advocate.

For State : Mr. Sameer Behar, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/02/2019**

1. The grievance which the petitioner has raised in the present writ petition is that services of the petitioner is not being absorbed as a Lecturer(LB) in the School Education Department in the light of the order of the State Government dated 30/06/2018.
2. Counsel for the petitioner submits that initial appointment of the petitioner is of the year 2008 and as such the petitioner has completed 8 years of service in the year 2016. Therefore, the petitioner became eligible for absorption as per the order of the State Government dated 30/06/2018. Counsel for the petitioner submits

that subsequently however on account of certain medical complications the petitioner could not attend his duties for a period of about seven months between 03/10/2017 to 30/04/2018. Later on the petitioner has reported for joining on 01/05/2018 which too was initially refused but later on at the intervention of this Court in WPS No. 5126/2018 disposed off on 10/08/2018 the petitioner was granted joining w.e.f. September, 2018. Counsel for the petitioner submits that since the time he has been granted joining in September, 2018, he has not been paid salary since then. The department also has not taken any decision on the issue of absorption which the petitioner was otherwise entitled for even before he was absent from duties w.e.f. 03/10/2017.

3. Given the limited grievance which the petitioner has raised this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet if the writ petition is disposed off with direction to respondents No. 2 & 3 to take a decision on the claim of the petitioner for absorption and also for grant of salary from September, 2018 onwards. At this juncture, it is relevant to mention that the order passed by this Court for appropriate disciplinary action if the department intends for, for the period of absence it would still remain open to the department to take steps for that and the same should not come in the way of the petitioner from being considered for absorption.
4. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge