

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2736 OF 2019**

1. Jitendra Kumar Budek S/o Shiv Ratan Budek Aged About 49 Years Posted As Lecturer, Government Girls Higher Secondary School Saraipali, District Mahasamund Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director, Public Education, Block No. 3, First Floor, Indrawati Bhawan, Atal Nagar Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer, Mahasamund District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Raghvendra Pradhan, Advocate.
For Respondent-State	:	Shri Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11.04.2019**

1. The grievance of the petitioner in the instant case is for grant of seniority from the date of initial appointment.
2. The facts of the case is that the petitioner was initially appointed in the Tribal Department way back in the year 1993 and while serving the department, the petitioner was sent on deputation to Education Department and in the Education Department the services of the petitioner has been absorbed in the year 2009 and seniority has been granted to the petitioner from the year 2009 onwards.
3. Counsel for the petitioner submits that the petitioner's services since was absorbed in the education department in 2009, the earlier service period rendered in the Tribal Department cannot get wiped out and the petitioner should be granted seniority from the initial date of appointment. Counsel for the petitioner further submits that the

department in the case of identically placed persons has granted the relief from the date of initial date of appointment in the Tribal Department but for reasons best known the petitioner has not been granted the said benefit. Counsel for the petitioner further submits that he has made repeated representation in this regard to the department which also till date has not been decided which has led to the filing of the present writ petition.

4. Given the aforesaid limited grievance that the petitioner has this Court is of the opinion that ends of justice would meet if the respondent No. 2 is directed to take a prompt decision on the representation of the petitioner so far as the grant of seniority is concerned. Respondent No. 2 while deciding the the representation will take into consideration the orders passed in the case of similarly placed persons and also would keep in view the rules of the State Government pertaining to the grant of seniority in respect of those persons who were brought to the department on deputation and later on absorbed.
5. Let the representation of the petitioner be decided at the earliest preferably within a period of four months from the date of receipt of copy of this order.

Sd/-
(P. Sam Koshy)
Judge