

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.3033 OF 2019**

1. Abhay Shrivastava S/o Shri Rajendra Prasad Shrivastava Aged About 31 Years Presently Working As Lecturer (P) At Govt. Hr. Sec. School Ruwatala, District- Rajnandgaon, Chhattisgarh.

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

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh.
2. Director Chhattisgarh Public Instruction, Raipur, Indrawati Bhawan, New Raipur, Atal Nagar, District- Raipur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Somkant Verma, Advocate.
----------------	---	-------------------------------

For State	:	Shri Rahul Mishra, Dy. Govt. Advocate.
-----------	---	--

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25.04.2019**

1. The grievance of the petitioner in the present writ petition is the non acceptance of the past service rendered by the petitioner as Assistant Teacher (P) by the respondents for the purpose of absorption in the Education Department.
2. The case of the petitioner is that the petitioner was initially appointed as an Assistant Teacher (P) way back in the year 2009 and subsequently got selected as Shiksha Karmi Grade-I in the year 2013. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as an Assistant Teacher (P) of the petitioner and has granted the benefit of revised pay scale on completion of 8 years service starting from 2009, that is the time when the petitioner was initially appointed as an Assistant Teacher (P).
3. The grievance of the petitioner now is that though the Department has accepted the past service of the petitioner for the purpose of revised pay scale but for the purpose of counting the total length of service for absorption in the Education Department, the past service is not being considered.

4. This Court does not find any strong reason or ground on the part of the Department for not accepting the past service of the petitioner for the purpose of absorption particularly when the department has counted the past service for the purpose of grant of revised pay scale.
5. Given the aforesaid fact, let the case of the petitioner be scrutinized by respondent No.2 and an appropriate order be passed as to why the past service of the petitioner cannot be counted for the purpose of absorption when the Department itself has counted the said period for the purpose of revised pay scale. Let an order be passed by respondent No.2 within a period of 90 days from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise respondent No.2 so far as the order passed by this Court is concerned. The petitioner would be at liberty to file a suitable representation, if she so wants, supported with all relevant documents.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge