

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2863 of 2019**

Smt. Alka Aglawe W/o Shri Vijay Aglawe, Aged About 47 Years,
Presently Working As Lecturer (P) At Government Hr. Sec. School,
Dhanora, District – Durg, Chhattisgarh

---- **Petitioner**

Versus

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

---- **Respondents**

For Petitioner	:	Shri Somkant Verma, Advocate
For State	:	Shri Rahul Mishra, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.04.2019

1. Counsel for the petitioner makes an oral request for necessary correction in the cause title.
2. Not opposed.
3. Request is allowed. Let necessary correction be carried out during the course of the day.
4. 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.

5. The case of the petitioner is that the petitioner was initially appointed as an Assistant Teacher (P) way back in the year 2005 and subsequently she got selected as Shiksha Karmi Grade-I in the year 2010. 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 2005, that is the time when the petitioner was initially appointed as an Assistant Teacher (P).
6. 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.
7. 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.
8. 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.

9. With the aforesaid observation, the writ petition stands disposed of.

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

Khatai