

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3288 of 2019

Hemant Kumar Sharma S/o Tarjan Prasad Sharma Aged About 33 Years Working As Lecturer Panchayat, Govt. Higher Secondary School, Kongiyakala (B), Saja, Block And District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Education Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Director Public Instructions, Directorate Of Education, Atal Nagar, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Commissioner-Cum-Director Directorate Of Panchayat, Atal Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
5. Chief Executive Officer Jila Panchayat, Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh
6. District Education Officer Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate
For State	:	Mr. Ishan Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/05/2019

1. The grievance of the petitioner in the present writ petition is the non-acceptance of the past service rendered by the petitioner as a 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 Shiksha Karmi Grade-II way back in the year 2008 and subsequently he got selected to the higher grade or the same grade through different recruitment process. For the purpose of grant of

revised pay scale, the State Govt. has taken the past service rendered as a Teacher (P) of the petitioner and has granted the benefit of revised pay scale on completion of 8 years service starting from 2008, that is the time when the petitioner was initially appointed as a 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.3 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.3 within a period of 90 days from the date of receipt of copy of this order after thorough verification of the facts, particularly the initial appointment of the petitioner, his entitlement and the subsequent selection, from the service record of the petitioner. It shall be the responsibility of the petitioner to apprise respondent no.3 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