

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3272 of 2019

Johar Lal Badhai S/o Jai Lal Badhai, Aged About 37 Years, Working
As Lecturer Panchayat, Govt. Higher Secondary School, Dudhali,
Block Dondilohara, District- Baloda, Chhattisgarh

---- Petitioner

Versus

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

02/05/2019

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 2005 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 2005, 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 he so wants, supported with all relevant documents.

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

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