

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4079 of 2019

1. Harishchandra Patel S/o Shri Chhattar Pal Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School, Khaira, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Kunwar Venkat Pal Kosle S/o Shri Bharat Lal Kosle, Aged About 40 Years Lecturer (Panchayat) Government Higher Secondary School, Khaira, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. Smt. Divya Dewangan W/o Shri Rajesh Kumar Dewangan Aged About 34 Years Lecturer (Panchayat) Government High School, Parpoda , Block - Berla District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
4. Jawahar Lal Pardhi S/o Shri Lakhan Lal Pardhi Aged About 42 Years Lecturer (Panchayat) Government High School, Parpoda, Block - Berla District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
5. Smt. Tarulata Sinha, W/o Shri Pradeep Sinha, Aged About 44 Years Lecturer (Panchayat) Government Higher Secondary School Odiya, Block - Saja District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
6. Smt. Ruchi Soni, W/o Shri Naresh Soni Aged About 37 Years Lecturer (Panchayat) Government Higher Secondary School Iraguda, Block - Gunderdehi, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
7. Smt. Chaitali Chakraborty W/o Shri S. Chakraborty, Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School Iraguda, Block - Gunderdehi, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
8. Smt. Pratibha More W/o Shri Nitesh More Aged About 39 Years Lecturer (Panchayat) Government Higher Secondary School Ranitarai (K) , Block - Dondilohara, , District - Balod Chhattisgarh., District : Balod, Chhattisgarh
9. Ku. Chandralekha D/o Shri Bhanwar Singh Aged About 41 Years Assistant Teacher (Panchayat) Government Higher Secondary School Bhainsbod , Block - Dondi , District - Balod Chhattisgarh., District : Balod, Chhattisgarh
10. Smt. Manisha Sharma W/o Shri Rakesh Sharma Aged About 38 Years Assistant Teacher (Panchayat) Government Higher Secondary School Bhainsbod , Block - Dondi , District - Balod Chhattisgarh., District : Balod, Chhattisgarh
11. Smt. Pranita Sahu W/o Shri Khemraj Sahu Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School Bhediya Nawagaon , Block - District - Balod Chhattisgarh., District : Balod, Chhattisgarh

12. Smt. Smita Verma W/o Shri Santosh Kumar Verma Aged About 43 Years Lecturer (Panchayat) Government Higher Secondary School Katro , Block And District - Durg Chhattisgarh., District : Durg, Chhattisgarh
13. Govind Prasad Sahu S/o Shri Krishna Lal Sahu Aged About 37 Years Lecturer (Panchayat) Government Higher Secondary School Sikosa , Block - Gunderdehi , District - Balod Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
14. Smt. Shweta Ramadhar Bhimte W/o Shri Ramadhar Bhimte Aged About 42 Years Lecturer (Panchayat) Government Higher Secondary School Bhanwarmara , Block - Dondilohara , District - Balod Chhattisgarh., District : Balod, Chhattisgarh
15. Puran Singh Thakur S/o Shri Hirde Ram Thakur Aged About 42 Years Lecturer (Panchayat) Government Higher Secondary School Dewarhat , Block And District - Balod Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
16. Smt. Kumud Dindu W/o Shri Janmejaya Aged About 44 Years Lecturer (Panchayat) Government Higher Secondary School Bhainsbod , Block - Dondi , District - Balod Chhattisgarh., District : Balod, Chhattisgarh
17. Ashwan Kumar Sahu S/o Shri Kodu Ram Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School Belmand , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
18. Ajay Kumar Deshmukh S/o Shri Khuman Singh Deshmukh Aged About 40 Years Lecturer (Panchayat) Government Higher Secondary School Belmand , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
19. Dushyant Kumar Sahu S/o Shri Dhansingh Sahu Aged About 37 Years Lecturer (Panchayat) Government Girls Higher Secondary School Nipani , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
20. Vijay Kumar Sahu S/o Shri Kripa Ram Sahu Aged About 39 Years Lecturer (Panchayat) Government Girls Higher Secondary School Nipani , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
21. Sanjay Kumar Sahu S/o Shri Dinbandhu Sahu Aged About 38 Years Lecturer (Panchayat) Government Girls Higher Secondary School Latabod , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
22. Ku. Mita Rani Das D/o Shri J.C. Das Aged About 39 Years Lecturer (Panchayat) Government Higher Secondary School Bhilai, Block - Gunderdehi, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
23. Smt. Shailja Deshmukh W/o Shri M.K. Deshmukh Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School Bhilai, Block - Gunderdehi, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
24. Smt. Lata Devi Chandrakar W/o Shri Balmukund Chandrakar Aged About 45 Years Lecturer (Panchayat) Government Higher

Secondary School Bhilai, Block - Gunderdehi, District - Balod Chhattisgarh., District : Balod, Chhattisgarh

25. Smt. Mranali Partrekar W/o Shri Manoj Patrekar Aged About 40 Years Lecturer (Panchayat) Government Higher Secondary School Litiya , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
26. Smt. Rita Ramteke W/o Shri Rajendra Ku. Ramteke Aged About 45 Years Lecturer (Panchayat) Government Higher Secondary School Litiya , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
27. Likhan Lal Bhuarya S/o Shri Balmukund Bhuarya Aged About 36 Years Teacher (Panchayat) Government Middle School Bori , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
28. Ku. Kalpana Shukla D/o Shri Ravishankar Aged About 36 Years Lecturer (Panchayat) Government Hr. Sec. School Bori , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
29. Ku. Rashmi Patela D/o Shri Moolchand Patela Aged About 38 Years Lecturer (Panchayat) Government Hr. Sec. School Bori , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
30. Mukesh Ku. Chaturvedi S/o Shri Johan Lal Aged About 34 Years Teacher (Panchayat) Government Middle School Daniya , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
31. Ku. Sarita Bhuarya D/o Shri Balmukund Aged About 33 Years Lecturer (Panchayat) Government Higher Secondary School Kotera, Block - Dondilohara, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
32. Smt. Reena Sharma W/o Shri Rajnish Sharma Aged About 39 Years Lecturer (Panchayat) Government Higher Secondary School Chatoud , Block - Arang, District - Raipur Chhattisgarh., Chhattisgarh
33. Smt. Pranita Namdev W/o Shri Anil Namdev Aged About 39 Years Lecturer (Panchayat) Government Higher Secondary School Marra , Block - Patan , District - Durg Chhattisgarh., District : Durg, Chhattisgarh
34. Smt. Uma Vishwakarma W/o Shri B. Vishwakarma Aged About 46 Years Lecturer (Panchayat) Government Higher Secondary School Bitai , Block - Dondi District Balod Chhattisgarh., District : Balod, Chhattisgarh
35. Smt. Yamini Kurre W/o Shri Kulesh Kumar Aged About 43 Years Lecturer (Panchayat) Government Higher Secondary School Faradod , Block - Dondilohara, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
36. Ramesh Kumar Verma S/o Shri Sant Ram Verma Aged About 38 Years Lecturer (Panchayat) Government Higher Secondary School Bhandera , Block - Dondilohara, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
37. Smt. Akhterunnisha Quraishi W/o Shri Aarifuddin Quraishi Aged About 42 Years Lecturer (Panchayat) Government Higher

Secondary School Thanoud , Block And District - Durg Chhattisgarh., District : Durg, Chhattisgarh

38. Smt. Lileshwari Nayak W/o Shri Manoj Kumar Nayak Aged About 35 Years Teacher (Panchayat) Government Middle School Jamgaon (B), Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
39. Manoj Kumar Nayak S/o Shri Ram Dayal Nayak Aged About 36 Years Lecturer (Panchayat) Government Higher Secondary School Kannewada , Block And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
40. Smt. Sarita Bhojne W/o Shri Pravin Bhojne Aged About 47 Years Lecturer (Panchayat) Government Higher Secondary School Chandanbirhi , Block - Gunderdehi And District - Balod Chhattisgarh., District : Bemetara, Chhattisgarh
41. Than Singh Sahu S/o Shri Prabhu Ram Sahu Aged About 43 Years Lecturer (Panchayat) Government Higher Secondary School Bhandera , Block - Dondilohara And District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
42. Alen Ram Thakur S/o Shri Bharat Ram Thakur Aged About 33 Years Lecturer (Panchayat) Government Higher Secondary School Medha , Block - Dongarhgarh And District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
43. Smt. Manisha Gupta W/o Shri Ajay Gupta Aged About 40 Years Lecturer (Panchayat) Government Higher Secondary School Chikhli, Block And District - Durg Chhattisgarh., District : Durg, Chhattisgarh
44. Minesh Deshmukh S/o Shri J. L. Deshmukh Aged About 36 Years Lecturer (Panchayat) Government Higher Secondary School Arajpuri , Block - Dondilohara, District - Balod Chhattisgarh., District : Balod, Chhattisgarh
45. Manohar Lal Bhuarya S/o Shir Ram Say Bhuarya Aged About 41 Years Lecturer (Panchayat) Government Higher Secondary School Arajpuri , Block - Dondilohara, And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
46. Sharwan Kumar Sahu S/o Shri Naresh Ram Sahu Aged About 48 Years Lecturer (Panchayat) Government Higher Secondary School Arajpuri , Block - Dondilohara, And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
47. Prabhu Nath Maurya S/o Shri Vishram Prasad Aged About 44 Years Lecturer (Panchayat) Government Higher Secondary School Arajpuri , Block - Dondilohara, And District - Balod Chhattisgarh., District : Balod, Chhattisgarh
48. Smt. Santoshi Thakur W/o Shri Mahesh Kumar Thakur Aged About 35 Years Lecturer (Panchayat) Government Higher Secondary School Hasda, , Block - Berla , And District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
49. Ashok Kumar Chhata S/o Shri B.R. Chhata Aged About 43 Years Lecturer (Panchayat) Government Higher Secondary School Birjhapur , Block - Dhamdha , District - Durg Chhattisgarh., District : Durg, Chhattisgarh

50. Ku. Nilofar Khan D/o Shri Abdul Kalam Khan Aged About 34 Years Lecturer (Panchayat) Government Higher Secondary School Kandul , Block - Gunderdehi District - Balod Chhattisgarh., District : Balod, Chhattisgarh
51. Smt. Deepa Manoj W/o Shri S. Manoj Aged About 47 Years Lecturer (Panchayat) Government Higher Secondary School Kusmi , Block And District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
52. Lokesh Kumar Soni S/o Shri Narayan Lal Soni, Aged About 35 Years Assistant Teacher (Panchayat) Government Primary School Faradfad, Block -Dondilohara, District Balod Chhattisgarh., District : Balod, Chhattisgarh

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Versus

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

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For Petitioners	:	Mr. Somkant Verma, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/05/2019

1. The grievance of the petitioners in the present writ petition is the non acceptance of the past service rendered by the petitioners as Assistant Teacher and Teacher (P) by the respondents for the purpose of absorption in the Education Department.
2. The case of the petitioners is that the petitioners were initially appointed as an Assistant Teacher and Teacher (P) and subsequently got selected as Shiksha Karmi Grade-I. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as an Assistant Teacher and Teacher (P) of the petitioners and have granted the benefit of revised pay scale on completion of 8 years service starting from 2008, that is the time

when the petitioners were initially appointed as an Assistant Teacher and Teacher (P).

3. The grievance of the petitioners now is that though the Department has accepted the past service of the petitioners 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 petitioners 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 petitioners be scrutinized by respondent No.2 and an appropriate order be passed as to why the past service of the petitioners 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 petitioners to apprise respondent No.2 so far as the order passed by this Court is concerned. The petitioners would be at liberty to file a suitable representation, if they so want, supported with all relevant documents.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge