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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4712 of 2019

1. Parasmanee Thakur S/o Shri Chhannoo Lal Thakur Aged About 35 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Rengabri, Block Daundi Lohara, District- Balod, Chhattisgarh.
2. Laxmi Narayan Sahu S/o Shri Lakhan Lal Sahu Aged About 42 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Rengadabri, Block Daundi Lohara, District- Balod, Chhattisgarh.
3. Pramod Kumar Rangari S/o Shri Banwali Aged About 34 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Bhanwarmara, Block Daundi Lohara, District- Balod, Chhattisgarh.
4. Chhabi Lal Ganjeer S/o Manharan Lal Ganjeer Aged About 43 Years Working As Lecturer (Panchayat) And Posted At Govt. High School Karregaon, Block Daundi Lohara, District- Balod, Chhattisgarh.
5. Prakash Kumar Meshram S/o Dev Singh Meshram Aged About 44 Years Working As Lecturer (Panchayat) And Posted At Govt. High School Karregaon, Block Daundi Lohara, District- Balod, Chhattisgarh.
6. Prem Thakur S/o Righu Thakur Aged About 34 Years Working As Lecturer (Panchayat) And Posted At Govt. Middle School Annutola, Block Daundi Lohara, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh
7. Uday Singh Koliyare S/o Shri Prem Singh Koliyare Aged About 34 Years Working As Lecturer (Panchayat) And Posted At Govt. Middle School Amalidih, Block Balod, District- Balod, Chhattisgarh.
8. Kameshwar Prasad Sinha S/o Bhoj Ram Sinha Aged About 36 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Barhi, Block Balod, District- Balod, Chhattisgarh.
9. Lokeshwar Prasad S/o Dhooj Ram Aged About 31 Years Working As Lecturer (Panchayat) And Posted At Govt. Middle School Bhengari, Block, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh
10. Devendra Kumar Nishad S/o Shri Sunhar Ram Nishad Aged About 37 Years Working As Lecturer (Panchayat) And Posted At Govt. Middle School Karregaon, Block Daundi Lohara, District- Balod, Chhattisgarh.

---- Petitioner(s)

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Directorate Of Chhattisgarh Public Instruction Indravati Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer Zila Panchayat Balod, District- Balod, Chhattisgarh.
4. District Education Officer Balod, District- Balod, Chhattisgarh.

---Respondents

For Petitioners	:	Shri Vinod Kumar Sharma, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

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

28/06/2019

1. The grievance of the petitioners in the present writ petition is the non acceptance of the past service rendered by the petitioners as Shiksha Karim Grade-III, Grade-II and Grade-I by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment of and petitioners and the subsequent appointment and the post against which they were appointed on two occasions are reflected in the chart as produced below:

Petitioner No.	Date of initial appointment	Date of subsequent appointment
1	04.06.2005 (SK-3)	29.09.2010 (SK-2)
2	19.08.2008 (SK-3)	29.09.2010 (SK-1)
3	04.08.2008 (SK-3)	29.09.2010 (SK-2)
4	27.07.2009(SK-3)	29.09.2010 (SK-2)
5	30.07.2009 (SK-2)	07.07.2010 (SK-1)
6	09.06.2005 (SK-3)	29.09.2010 (SK-2)
7	12.07.2008 (SK-3)	09.07.2010 (SK-2)
8	04.10.2008 (SK-3)	18.10.2010 (SK-2)
9	06.11.2007 (SK-3)	29.09.2010 (SK-2)
10	14.07.2009 (SK-1)	29.09.2010 (SK-1)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Shiksha Karim Grade-III, Grade-II and Grade-I of the petitioners and has granted the benefit of revised pay scale on completion of 8 years service starting from the time when the petitioners were initially appointed as Shiksha Karim Grade-III, Grade-II and Grade-I.
4. 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.

5. 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.
6. Given the aforesaid fact, let the case of the petitioners be scrutinized by respondents No.2&3 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 respondents No.2 &3 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 respondents No.2&3 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.
7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge