

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4537 of 2019**

Bhisham Krishe S/o Shri Rambharose Krishe Aged About 31 Years R/o
Village Amaniya Village Post Neor, Pandariya, District Kabirdham
Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralay, Mahanadi Bhavan, Atal Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Secretary, Department Of Panchayat And Rual Development, Mantralay, Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Janpad Panchayat, Pandariya, Through The Ceo, District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Prateek Sharma, Advocate
For Respondent/s	:	Mr. Rahul Mishra, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/06/2019**

1. The limited prayer made by the respondent in the present writ petition is for a direction to respondent to consider absorption of the services of the petitioner with the School Education Department as per the policy decision of the State Government dated 30.06.2018.
2. The contention of the petitioner is that as per the policy decision of the State Government dated 30.06.2018, all those teachers working with the Panchayat and Urban Administration Department whose services have been taken by the School Education Department should be absorbed as per the policy dated 30.06.2018 where it is

envisaged that whoever has completed 8 years of service as on 01.07.2018 would be considered for absorption. According to the petitioner he was initially appointed on 26.05.2010 and as per the order of appointment he has given his joining on 07.06.2010. Accepting the date of joining of the petitioner to be 07.06.2010, he completes 8 years of continuous service on 06.06.2018. Accordingly, on 01.07.2018 the petitioner has acquired 8 years of service in his credit and as such was entitled to be considered for absorption in terms of policy of the State Government dated 30.06.2018.

3. Counsel for the petitioner submits that no reason as such has been given for not considering the case of the petitioner for absorption. He further submits infact only hurdle which appears to be is that the petitioner was placed under suspension on 17.05.2018 which too has been subsequently revoked vide order dated 01.09.2018 without there being any sort of departmental enquiry or disciplinary action initiated against the petitioner and as such for all practical purposes, the petitioner completes continuous 8 years of employment from the date of joining before 01.07.2018.
4. In view of the aforesaid facts as submitted by the petitioner, this Court is of the opinion that ends of justice would meet if the writ petition is disposed off with a direction to the respondents to immediately consider the case of the petitioner for absorption in terms of policy of the State Government dated 30.06.2018. Let a decision be taken at the earliest preferably within a period of three months from the date of receipt of copy of this order.
5. It shall be the responsibility of the petitioner to apprise the respondents so far as the order passed by this Court is concerned.

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

Sd/-
(P. Sam Koshy)
Judge

Rohit