

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4852 of 2019**

1. Smt. Divya Lakra D/o Shri Erenius Lakra Aged About 33 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Nawagaonkala, Block Saja, District- Bemetara, Chhattisgarh
2. Smt. Geeta Chandrakar D/o Shri Abhay Ram Chandrakar Aged About 43 Years Working As Lecturer (Panchayat) And Posted At Govt. Grmsa H.S. Bhilouri, Block Berla, District- Bemetara, Chhattisgarh
3. Smt. Tripti Sahu D/o Shri K. L. Sonwani Aged About 32 Years Working As Lecturer (Panchayat) And Posted At GRMSA H. S. Bhilouri, Block Berla, District- Bemetara, Chhattisgarh
4. Smt. Hema Dewangan W/o Shri Jitendra Kumar Dewangan Aged About 43 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Rano, Block Saja, District- Bemetara, Chhattisgarh
5. Ku. Hemlata Bharatdwaj D/o Bajrang Bharatdwaj Aged About 39 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Chechanmeta, Block Saja, District- Bemetara, Chhattisgarh
6. Devendra Kumar Dewangan S/o Shri Ankat Ram Dewangan Aged About 39 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Nawagaonkala, Block Saja, District- Bemetara, Chhattisgarh
7. Devendra Kumar Kurre S/o Shri Chinta Ram Kurre Aged About 35 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Patora, Block Berla, District- Bemetara, Chhattisgarh
8. Aashish Kumar Diwakar S/o Shri Panchamdas Diwakar Aged About 37 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher

Secondary School Ghotwani, Block Saja, District- Bemetara, Chhattisgarh

- 9.** Smt. Neera Thakur W/o Shri Ramakant Aged About 34 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Godmarra, Block Saja, District- Bemetara, Chhattisgarh
- 10.** Dron Kumar Verma S/o Samaliya Prasad Verma Aged About 44 Years Working As Lecturer (Panchayat) And Posted At Rani Avanti Bai, Higher Secondary School Khairjhitikala, Block Saja, District- Bemetara, Chhattisgarh
- 11.** Tarun Kumar Netam S/o Shri C.L. Netam Aged About 34 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Odragahan, Block, District- Bemetara, Chhattisgarh
- 12.** Ram Kumar Thakur S/o Late Shri Vijay Ram Aged About 40 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Khisora, Block Berla, District- Bemetara, Chhattisgarh
- 13.** Sudhir Kumar Uikey S/o Shri Bhooshan Lal Uikey Aged About 34 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Baghmara, Block Balod, District- Balod, Chhattisgarh
- 14.** Rajesh Kumar Bhandari S/o Shri Chumman Singh Bhandari Aged About 40 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Baghmara, Block Balod, District- Balod, Chhattisgarh
- 15.** Digeshwar Sahu S/o Shri Narayan Sahu Aged About 32 Years Working As Teacher (Panchayat) And Posted At Govt. High School Temari, Block Patan, District- Durg, Chhattisgarh
- 16.** Chandrakala Pandey S/o Shri Om Prakash Pandey Aged About 35 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher

Secondary School Utai, Block Durg, District- Durg, Chhattisgarh

17. Romeshwari Sahu S/o Shri Vijendra Kumar Sahu Aged About 30 Years
Working As Assistant Teacher (Panchayat) And Posted At Govt. Higher
Secondary School Utai, Block Durg, District- Durg, Chhattisgarh
18. Derha Ram Ratre S/o Shri Nirbhay Singh Ratre Aged About 40 Years
Working As Lecturer (Panchayat) And Posted At Govt. Higher
Secondary School Sahgaon, Block Balod, District- Balod, Chhattisgarh
19. Mohan Lal Yadav S/o Shri Barsan Lal Yadav Aged About 40 Years
Working As Lecturer (Panchayat) And Posted At Govt. Higher
Secondary School Sahgaon, Block Balod, District- Balod, Chhattisgarh

---- **Petitioners**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School
Education, Mahanadi Bhawan, Mantralaya New Raipur, District- Raipur,
Chhattisgarh
2. Director, Directorate Of Chhattisgarh Public Instruction, Indravati
Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
3. District Education Officer, Balod, District- Balod, Chhattisgarh
4. District Education Officer, Durg, District- Durg, Chhattisgarh
5. District Education Officer, Bemetara, District- Bemetara, Chhattisgarh

---- **Respondents**

For Petitioners	:	Shri Vinod Sharma, Advocate
For State	:	Shri Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03.07.2019

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 (P) by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment and the subsequent appointment of the petitioners and the post against which they were appointed on two occasions are reflected in the chart as produced below:

Petitioners' Name	Date of Initial Appointment	Date of Subsequent Appointment
No. 1	01.07.2008 (S. K. Gr-2)	14.10.2010 (S. K. Gr-1)
No. 2	12.12.2007 (S. K. Gr-2)	26.09.2011 (S. K. Gr-1)
No. 3	27.01.2006 (S. K. Gr-3)	13.12.2011 (S. K. Gr-1)
No. 4	13.10.2008 (S. K. Gr-2)	29.09.2010 (S. K. Gr-1)
No. 5	21.10.2008 (S. K. Gr-2)	14.10.2010 (S. K. Gr-1)
No. 6	13.10.2008 (S. K. Gr-3)	14.10.2010 (S. K. Gr-1)
No. 7	19.07.2006 (S. K. Gr-3)	01.10.2010 (S. K. Gr-1)
No. 8	16.06.2005 (S. K. Gr-3)	29.06.2011 (S. K. Gr-1)
No. 9	04.07.2008 (S. K. Gr-3)	01.02.2013 (S. K. Gr-1)
No. 10	13.10.2008 (S. K. Gr-2)	29.09.2010 (S. K. Gr-1)
No. 11	28.08.2008 (S. K. Gr-3)	19.09.2011 (S. K. Gr-1)
No. 12	15.10.2008 (S. K. Gr-3)	14.10.2010 (S. K. Gr-1)
No. 13	16.07.2008 (S. K. Gr-1)	12.07.2010 (S. K. Gr-1)
No. 14	16.07.2008 (S. K. Gr-1)	12.07.2010 (S. K. Gr-1)
No. 15	14.06.2010 (S. K. Gr-2)	08.07.2013 (S. K. Gr-2)
No. 16	21.07.2010 (S. K. Gr-1)	21.12.2011 (S. K. Gr-1)
No. 17	03.06.2010 (S. K. Gr-3)	21.12.2011 (S. K. Gr-3)
No. 18	02.09.2008 (S. K. Gr-2)	08.07.2010 (S. K. Gr-1)
No. 19	11.07.2008 (S. K. Gr-3)	12.07.2010 (S. K. Gr-1)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Assistant Teacher (P) 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 Assistant Teacher (P).

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 1 & 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 respondents 1 & 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 respondents 1 & 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.
7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE