

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5113 of 2019**

1. Smt. Laxmi Shandilya W/o Ajay Shandilya, Aged About 34 Years Working As Lecturer Nagriya Nikay, Nagar Mata Binni Bai Sonkar, Government Higher Secondary School, Bhathagaon, Block Dharsiwa, District Raipur, Chhattisgarh
2. Smt. Shweta Maurya W/o Ramkumar Maurya, Aged About 36 Years Working As Lecturer Panchayat, Government Higher Secondary School, Temri, Block Dhamdha, District - Durg Chhattisgarh

---- Petitioners**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 Durg, District Durg Chhattisgarh
6. Chief Executive Officer, Jila Panchayat, Raipur, District Raipur Chhattisgarh
7. District Education Officer, Durg, District Durg Chhattisgarh

8. District Education Officer, Durg District Durg Chhattisgarh

---- Respondents

For Petitioners	:	Shri Harish Khuntiya, Advocate
For State	:	Shri Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.07.2019

1. The grievance of the petitioners in the present writ petition is the non-acceptance of the past service rendered by the petitioners as Shiksha Karmi Grade-I 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	Date of Initial Appointment	Date of Subsequent Appointment
No.1	14.07.08 (S. K.1)	23.02.13 (S. K. 1)
No.2	13.02.09 (S. K. 1)	01.01.12 (S. K. 1)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Shiksha Karma 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 Karma 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 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