

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5565 of 2019

1. Kishor Kumar Dewangan S/o Gulab Chand Dewangan, Aged About 37 Years Working As Lecturer (Panchayat) And Posted At Govt. High School Parsahi- Bana, Akaltara, District Janjgir Champa, Chhattisgarh
2. Krishna Kumar Yadav S/o Shri Narmada Prasad Yadav, Aged About 38 Years, Working As Lecturer (Panchayat) And Posted At Govt. High School Pakariya (Jhulan), Block Akaltara, District Janjgir Champa, Chhattisgarh
3. Jagat Ram Khute S/o Shri Samaru Ram Khute, Aged About 40 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Gatoura, Block Masturi, District Bilaspur, 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, Janjgir Champa, District Janjgir Champa Chhattisgarh
4. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30/07/2019

1. The grievance of the petitioners is that the past services rendered by the petitioners for the purpose of absorption in the Education Department are not being considered.

2. The case of the petitioners is that the petitioners 1 & 2 were initially appointed as a Shiksha Karmi Grade-II on 05.01.2011 & 03.07.2008 respectively and the petitioner no.1 was initially appointed as Shiksha Karmi Grade-I on 27.05.2009. Subsequently, in a fresh recruitment, they got selected as Shiksha Karmi Grade-I on 06.06.11, 20.08.11 & 22.05.10 respectively.
3. Learned counsel for the petitioner submits that in a similar writ petition i.e. WPS No. 3399/2019 this Court on 07.05.2019 has passed the following orders:

“6. Given the aforesaid contentions put forth on either side and on perusal of records, what is an admitted factual position is that the petitioner's past services has been counted by the department for the purpose of grant of revised pay scale. Once when the department accepts the past services for the purpose of revised pay scale, this Court does not find any strong reason why the said period would not be counted for the purpose of absorption as the department itself has accepted the said period as continuous service for the purpose of granting revised pay scale.

7. Under the circumstances, let the respondent No.1 take a fresh decision on the issue and pass an appropriate order at the earliest preferably within a period of 90 days from the date of receipt of copy of this order keeping in view the fact that the department itself has counted the past services of the petitioner for the purpose of revised pay scale.

8. It shall be the responsibility of the petitioner to apprise the respondent No.1 so far as the order passed by this Court is concerned.

9. The petitioner would also be at liberty to file a fresh representation, if he so wants.

10. The writ petition accordingly stands disposed off.”

4. It is ordered accordingly. The direction passed in WPS No. 3399 of 2019 shall also be applicable to the petitioners. The petitioners shall be at liberty to make a fresh representation, if so advised.

**Sd/-
(Goutam Bhaduri)
Judge**

Khatai