

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5756 of 2019**

1. Keshav Kumar Kaushik S/o Shri Ramprasad Kaushik Aged About 43 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Kotway, Block And District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
2. Ku. Anju Nag D/o Shri Nand Lal Nag Aged About 35 Years Working As Lecturer (Panchayat) And Posted At Govt. High School Madanpur, Block And District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
3. Balgovind Kosriya S/o Late Shri Tijuram Kosriya Aged About 45 Years Working As Lecturer (Panchayat) And Posted At Govt. High School Narhagaon, Block And District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Petitioners**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. District Education Officer Gariyaband, District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vinod K. Sharma, Advocate
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.08.2019**

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 Gr.-II and Shiksha Karmi Gr.-III 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:

Petitioners' Name	Date of Initial Appointment	Second appointment and joining date	Date of Subsequent Appointment	Joining Date
1	28.10.2005 SK Gr.-2	17.02.2009	08.07.2011 SK Gr-1	29.07.2011
2	10.06.2005 SK Gr.-3	16.06.2005	19.02.2013 SK Gr.-1	23.02.2013
3.	28.06.2008 SK Gr.-2	01.07.2008	18.10.2011 SK Gr.-1	19.10.2011

Note: S.K. (Shiksha Karmi)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Shiksha Karmi Gr.-II and Shiksha Karmi Gr.-III 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 Karmi Gr.-II and Shiksha Karmi Gr.-III
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 No. 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