

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5799 of 2019**

1. Satish Kanwar, S/o B.S. Kanwar, Aged About 36 Years, Working As Lecturer (Nagriya Nikay) At Govt. Higher Secondary School, Mana Campa, Raipur, Nagar, Panchayat Mana Camp, Raipur, District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Developmentl, Mantralaya And Development, Mantralaya Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh
2. Secretary, Department Of School Education Mahandi Bhawan, Mantralaya Naya Raipur, District Raipur Chhattisgarh
3. Director, Directorate Of Public Instruction Indrawati Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh
4. District Education Officer, Raipur, District Raipur Chhattisgarh
5. Chief Municipal Officer, Nagar Panchayat Mana Campa, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Govind Dewangan, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

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

06.08.2019

1. The grievance of the petitioner in the present Writ Petition is the non-acceptance of the past service rendered by the petitioner as Shiksha Karmi Gr.-III by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment of petitioner and the subsequent appointment and the post against which he was appointed on two occasions are reflected in the chart as produced below:

Petitioners' Name	Date of Initial Appointment	Later appointment	Again Appointment
1	27.12.2008 SK Gr.-3	09.07.2011 SK Gr.- 1	20.08.2011 SK Gr-1

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.-III](#) of the petitioner and has granted the benefit of revised pay scale on completion of 8 years service starting from the time when the petitioner was initially appointed as [Shiksha Karmi Gr.-III](#).
4. The grievance of the petitioner now is that, though the Department has accepted the past service of the petitioner 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 petitioner 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 petitioner be scrutinized by Respondents 1 & 2 and an appropriate order be passed as to why the past service of the petitioner 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 petitioner to apprise Respondents No. 1 & 2, so far as the order passed by this Court is concerned. The petitioner would be at liberty to file a suitable representation, if he so wants, supported with all relevant documents.
7. With the aforesaid observation, the Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE