

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6139 of 2019**

1. Dhananjay Sharma S/o Shri Ramnarayan Sharma, Aged About 36 Years, Working As Lecturer (Panchayat) And Posted At Govt. High School Godhi, Block Bilha, District- Bilaspur, Chhattisgarh
2. Smt. Priyanka Dubey W/o Ravi Dubey, Aged About 34 Years, Working As Lecturer (Panchayat) And Posted At Govt. Boys Higher Secondary School Belgahna, Block Kota, District- Bilaspur, Chhattisgarh
3. Devi Kumar Garewal S/o Shri Chhedi Das, Aged About 33 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Murkuta, Block Bilha, District- Bilaspur, Chhattisgarh
4. Prahlad Kumar Dudheshwar S/o Daras Ram Dudheshwar, Aged About 35 Years, Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Khodri, Block Gourela, District- Bilaspur, Chhattisgarh
5. Arvind Kumar Patanwar S/o Amrit Lal Patanwar, Aged About 42 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Kanker, Block Bilha, District- Bilaspur, Chhattisgarh
6. Smt. Shobha Rani Minz W/o Shri Deepak Kumar, Aged About 40 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Pasid, Block Bilha, 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 Bilaspur, District- Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For State	:	Ms. A. Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.08.2019

1. The grievance of the petitioners in the present writ petition is the non-acceptance of the past service rendered by the petitioners as Assistant Teacher (P), Teacher (P) & Lecturer (P) by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment of the 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	Date of Initial Appointment	Date of Subsequent Appointment
No.1	07.08.08 (S. K. 2)	28.11.11 (S. K. 1)
No.2	27.07.09 (S. K. 1)	05.11.12 (S. K. 1)
No.3	16.11.10 (S. K. 2)	20.08.11 (S. K. 2)
No.4	02.06.10 (S. K. 1)	21.07.11 (S. K. 1)
No.5	16.07.10 (S. K. 2)	23.09.13 (S. K. 2)
No.6	03.07.08 (S. K. 2)	27.06.11 (S. K. 1)

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