

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6065 of 2019**

1. Smt. Dharita Diwan, W/o Shri Narendra Diwan, Aged About 34 Years, Posted As Lecturer (Panchayat), Government Higher Secondary School, Tekari (Kunda), Block-Arang, District- Raipur, Chhattisgarh
2. Smt. Leena Shyamkunwar, W/o Raju Shyamkunwar, Aged About 34 Years, Posted As Lecturer (Panchayat), Government Higher Secondary School, Kapasada, Block-Dhamdha, District- Durg, Chhattisgarh
3. Narendra Kumar Verma, S/o Shri Vijay Kumar Verma, Aged About 39 Years, Posted As Lecturer (Municipal), Government Girls Higher Secondary School, Chhuikhadan, District- Rajnandgaon, Chhattisgarh
4. Govindlal Verma, S/o Arjun Verma, Aged About 32 Years, Posted As Lecturer (Municipal), Government Dr. B.P. Mishra Higher Secondary School, Basantpur, District- Rajnandgaon, Chhattisgarh
5. Ku. Mamta Purran, D/o Neetram Purram, Aged About 31 Years, Posted As Lecturer (Municipal), G.M.L.B. Girls Higher Secondary School, Rajnandgaon, District- Rajnandgaon, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh
2. The Secretary, Urban Administration And Development Department, Government Department Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh
3. The Secretary, School Education Department, Government Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur,

Chhattisgarh

4. The Director, Directorate Of Public Instructions, Chhattisgarh, Raipur, Chhattisgarh
5. The Commissioner-Cum-Director, Directorate Of Panchayat, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
6. The Commissioner, Municipal Corporation, Rajnandgaon, District- Rajnandgaon, Chhattisgarh
7. The Chief Executive Officer, Zila Panchayat, Durg, District- Durg, Chhattisgarh
8. The Chief Executive Officer, Zila Panchayat, Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Harish Khuntiya, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G. with Ms. Abhyunnati Singh, Panel Lawyer

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

29.08.2019

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 Grade-I, Shiksha Karmi Grade-II and Shiksha Karmi Grade-III by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment of petitioners 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:

Petitioner's Name	Date of Initial Appointment	Date of subsequent appointment
Smt. Dharita Diwan	16.11.2005 SK Gr.-3	21.02.2013 SK Gr.- 1
Smt. Leena Shyamkunwar	29.09.2010 SK Gr.-1	01.02.2013 SK Gr.-1
Narendra Kumar Verma	05.07.2010 SK Gr.-3	29.02.2014 SK Gr.-1
Govindlal Verma	07.01.2011 SK Gr.-2	07.09.2013 SK Gr.-1
Ku. Mamta Purram	29.06.2010 SK Gr.-2	03.08.2011 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 Grade-I, Shiksha Karmi Grade-II and Shiksha Karmi Grade-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 Grade-I, Shiksha Karmi Grade-II and Shiksha Karmi Grade-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 No. 1 & 8 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.

7. Let an order be passed by Respondents No. 1 & 8 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 & 8, 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.
8. With the aforesaid observation, the Writ Petition stands disposed off.

**Sd/-
(P. Sam Koshy)
JUDGE**