

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6258 of 2019

Smt. Alpa Tirkey W/o Shri Amros Tirkey Aged About 29 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Mahadevdand, Block Bagicha, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Commissioner-Cum-Director Directorate Of Panchayat, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Jashpur, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
5. District Education Officer Jashpur, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
6. Chief Executive Officer Bagicha, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
7. Block Education Officer Bagicha, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/08/2019

1. The grievance of the petitioner in the instant case is the non-consideration of the past services of the petitioner for the purpose of absorption.
2. According to the petitioner, she was initially appointed as a Shiksha Karmi Grade-II in the year 2010, thereafter on obtaining NOC on 04.08.2017, the petitioner has got selected and appointed as a Shiksha Karmi Grade-I and joined the service on 11.12.2017 as Shiksha Karmi Grade-I.

3. According to the petitioner, the Department has taken into account the past services rendered as Shiksha Karmi Grade-II for the purpose of releasing of the revised pay-scale, but so far as the issue of absorption is concerned, the respondents are not taking into consideration the aforesaid period, which itself is self contradictory.
4. Having heard the contention put forth by the petitioner and taking into consideration the fact that the respondents have granted the benefit of revised pay-scale taking into consideration the past services rendered by the petitioner on obtaining NOC, this Court does not find any good reason, why the case of the petitioner cannot be considered for absorption. Once when the Department has accepted the past services for the purpose of revised pay-scale, for all practical purposes the said period also has to be accepted for the purpose of absorption also.
5. Under the circumstances, the respondents No.2 to 5 are directed to consider the case of the petitioner and pass an appropriate order so far as the claim of the petitioner for absorption is concerned at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved