

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6525 of 2019**

1. Bharti Thakur W/o Shri Rameshwar Singh Kanwar Aged About 39 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Amlidih, Block Magarlod, District Dhamtari Chhattisgarh
2. Smt. Radhika Netam W/o Harishchandra Singh Aged About 38 Years Presently Working As Lecturer (Panchayat) At Govt. High School Suklabhata, Block Magarlod, District Dhamtari Chhattisgarh
3. Smt. Laxmi Dhruv W/o Tularam Dhruv Aged About 36 Years Presently Working As Lecturer (Panchayat) At Govt. High School, Araud (Lilar), Block Dhamtari, District Dhamtari Chhattisgarh
4. Rishi Kumar Kaushik S/o Shivnarayan Aged About 35 Years Presently Working As Lecturer (Panchayat) At Govt. High School, Araud (Duban), Block Dhamtari, District Dhamtari Chhattisgarh
5. Smt. Lina Kanwar W/o Ramkhilawan Kanwar Aged About 39 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Arod (Li), Block Kurud, District Dhamtari Chhattisgarh
6. Mahesh Kumar Sahu S/o Bhauram Sahu Aged About 35 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Bhothidih, Block Magarlod, District Dhamtari Chhattisgarh
7. Tarun Kumar Dhiwar S/o Punau Ram Dhiwar Aged About 36 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Semra (B), Block Kurud, District Dhamtari Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of

Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan,
Naya Raipur, District Raipur Chhattisgarh

2. Secretary, Education Department, Mantralaya, Mahanadi Bhawan,
Naya Raipur, District Raipur Chhattisgarh
3. Commissioner Cum Director, Directorate Of Panchayat, Naya Raipur,
District Raipur, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Dhamtari, District Dhamtari
Chhattisgarh
5. District Education Officer, Dhamtari, District Dhamtari Chhattisgarh
6. Block Education Officer, Magarlod, District Dhamtari Chhattisgarh
7. Block Education Officer, Kurud, District Dhamtari, Chhattisgarh
8. Block Education Officer Dhamtari, District Dhamtari Chhattisgarh

---- Respondents

For Petitioners	:	Shri C. Jayant K. Rao, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28.08.2019

1. The grievance of the petitioners in the present writ petition is the non-acceptance of the past services rendered by the petitioners as Shiksha Karmi Grade-II/Grade-III by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment 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:

Petitioners	Initial Appointment	Subsequent Appointment
No.1	03.02.2009 (S. K. 3)	12.03.2013 (S. K. 1)
No.2	17.12.2007 (S. K. 2)	07.02.2018(S. K. 1)
No.3	02.07.2009 (S. K. 2)	14.03.2013 (S. K. 1)
No.4	01.05.2005 (S. K. 3)	02.07.2012 (S. K. 1)
No.5	14.12.2007(S. K. 2)	04.07.2011(S. K. 1)
No.6	16.06.2006(S. K. 3)	30.05.2012(S. K. 1)
No.7	16.06.2005(S. K. 3)	04.11.2011(S. K. 1)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past services rendered as Shiksha Karmi Grade-II/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-II/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 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**

Khatai