

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6545 of 2019**

1. Rameshwar Prasad, S/o Shri L. S. Verma, Aged About 39 Years, Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Sarora, Block Tilda, District Raipur Chhattisgarh
2. Pawan Kumar Miri, S/o Achchhe Ram Miri Aged About 38 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Tarpongi, Block Tilda, District Raipur Chhattisgarh
3. Smt. Soniya Jadhav, D/o Abhay Kumar Jadhav Aged About 38 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Khairkhut, Block Tilda, District Raipur Chhattisgarh
4. Smt. Varsha Verma, W/o Basant Verma Aged About 36 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Devri, Block Dharsiwa, District Raipur Chhattisgarh
5. Mohd. Aarif Khan, S/o Ayub Khan Aged About 42 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Kirna, Block Tilda, District Raipur Chhattisgarh
6. Smt. Neetu Sharma, W/o Shri Gitesh Sharma Aged About 36 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary, School, Torla Block Abhanpur, District Raipur Chhattisgarh
7. Ku. Sandhya Sahu, D/o Shri T. R. Sahu Aged About 39 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Sarkhi Block Abhanpur,, District Raipur Chhattisgarh
8. Umesh Kumar Sahu S/o Shri Poshan Lal Sahu Aged About 30 Years Presently Working As Lecturer (Panchayat At Govt. Middle, School, Aamadi Block Abhanpur, District Raipur Chhattisgarh
9. Smt. Kahakashan Parween, D/o Habibuddin Aged About 44 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Piproud, Block Abhanpur, District Raipur Chhattisgarh

- 10.** Smt. Aishwarya Dewangan, W/o Shri Neeraj Dewangan Aged About 34 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Manikchouri, Block Abhanpur, District Raipur Chhattisgarh)
- 11.** Smt. Reena Sahu, W/o Shri Ashok Kumar Sahu Aged About 37 Years Presently Working As Lecturer (Panchayat At Govt. High Secondary, School, thelkabandha, Block Abhanpur, District Raipur Chhattisgarh)
- 12.** Smt. Hemlata Sahu, W/o Yogesh Kumar Sahu Aged About 33 Years Presently Working As Lecturer (Panchayat At Govt. Middle School Tarri, Block Abhanpur, District Raipur Chhattisgarh)
- 13.** Smt. Rakhi Mour, W/o Rakshak Mour Aged About 29 Years Presently Working As Lecturer (Panchayat At Govt. Primary, School, Indira Colony Nayakbandha, Block Abhanpur, District Raipur Chhattisgarh)
- 14.** Smt. Kiran Tiwari, D/o Shri R.G. Tiwari Aged About 34 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Parastarai, Block Dharsiwa, District Raipur Chhattisgarh)
- 15.** Smt. Sudha Yadu, W/o Nagesh Yadu Aged About 34 Years Presently Working As Lecturer (Panchayat At Govt. Higher Secondary, School, Parastarai, Block Dharsiwa, District Raipur Chhattisgarh)
- 16.** Dinesh Kumar Joshi, S/o D. R. Joshi Aged About 37 Years Presently Working As Lecturer (Panchayat At Govt. Higher Kumahri, Piproud, Block Aarang , District Raipur Chhattisgarh)
- 17.** Mahendra Kannouje, S/o Siyaram Kannouje Aged About 41 Years Presently Working As Lecturer (Panchayat At Govt. High School, Goinda, Block Arang District Raipur Chhattisgarh).
- 18.** Birendra Kumar Baghel, S/o Tijun Ram Baghel Aged About 33 Years Presently Working As Lecturer (Panchayat At Govt. Higher Kumhari , Block Arang District Raipur Chhattisgarh)
- 19.** Smt. Kunj Dhruw, W/o Shri Puran Singh Dhruw Aged About 37 Years Presently Working As Lecturer (Panchayat) Nagriy Nikay At Govt. Girls Highe Gobra Nawapara, Block Abhanpur, District Raipur Chhattisgarh)

20. Smt. Kamini Pillai Dhiwar, W/o Shri Tarun Kumar Dhiwar Aged About 39 Years Presently Working As Lecturere (Panchayat) At Govt. Higher Secondary, School Sundarkera, Block Abhanpur, District Raipur Chhattisgarh
21. Shraddha Rajput, W/o Rajesh Rajput Aged About 39 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Seoni, Block Abhanpur, District Raipur Chhattisgarh
22. Bharat Lal Sahu, S/o Premal Sahu Aged About 38 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary, School, Bhilai Block Arang, District Raipur Chhattisgarh
23. Smt. Anjali Sahu, W/o Tikaram Sahu Aged About 40 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary, School, Bhilai Block Arang, District Raipur Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Of 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 Raipur, District Raipur Chhattisgarh
5. District Education Officer, Raipur, District Raipur, Chhattisgarh
6. Block Education Officer, Tilda, District Raipur Chhattisgarh
7. Block Education Officer, Dharsiwa, District Raipur Chhattisgarh
8. Block Education Officer, Abhanpur, District Raipur Chhattisgarh
9. Block Education Officer, Arang , District Raipur Chhattisgarh
10. Chief Municipal Officer, Municipal Council Gobra Nayapara, District

Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

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 service rendered by the petitioners as Assistant Teacher (P) 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 and the post against which they were appointed on two occasions are reflected in the chart as produced below:

Petitioners' Name	Date of Initial Appointment	Date of subsequent appointment
1	09.06.2005 SK Gr.-3	08.07.2011 SK Gr.- 1
2	30.06.2010 SK Gr.-3	08.08.2011 SK Gr.-1
3	13.10.2006 SK Gr.-2	20.10.2011 SK Gr.-1
4	04.09.2008 SK Gr.-2	20.07.2011 SK Gr.-1
5	28.10.2005 SK Gr.-2	25.07.2011 SK Gr.-1
6	09.02.2009 SK Gr.-2	05.08.2011 SK Gr.-1
7	17.06.2010 SK Gr.-2	11.02.2013 SK Gr.-1
8	02.03.2009 SK Gr.-3	16.07.2013 SK Gr.-2
9	06.03.2007 SK Gr.-3	25.02.2013 SK Gr.-1
10	02.12.2010 SK Gr.-1	22.07.2011 SK Gr.-1
11	19.08.2008 SK Gr.-2	25.02.2013 SK Gr.-1
12	24.06.2010 SK Gr.-2	21.07.2011 SK Gr.-2

13	25.08.2010 SK Gr.-3	18.08.2011 SK Gr.-3
14	11.06.2010 SK Gr.-2	18.07.2011 SK Gr.-1
15	11.10.2010 SK Gr.-1	26.02.2013 SK Gr.-1
16	18.08.2008 SK Gr.-2	13.07.2011 SK Gr.-1
17	02.07.2010 SK Gr.-1	18.12.2013 SK Gr.-1
18	16.07.2010 SK Gr.-1	26.02.2013 SK Gr.-1
19	29.06.2005 SK Gr.-3	08.02.2012 SK Gr.-1
20	06.07.2005 SK Gr.-3	27.02.2013 SK Gr.-1
21	10.09.2010 SK Gr.-2	24.10.2011 SK Gr.-1
22	10.09.2007 SK Gr.-3	21.02.2013 SK Gr.-1
23	13.09.2006 SK Gr.-2	22.02.2013 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 Assistant Teacher (P) 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 Panchayat & Lecturer Panchyat.](#)
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 No. 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