

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6980 of 2019**

1. Mahendra Kumar Adil, S/o Shri Nirbhay Ram Adil, Aged About 45 Years, Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Saragi, Block Magarload, District- Dhamtari, Chhattisgarh
2. Ku. Vidhi Dhruw, D/o Shri Samlal Dhruw, Aged About 32 Years, Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Darra, Block Kurud, District- Dhamtari, Chhattisgarh
3. Smt. Gesu Netam, W/o Gendlal Netam, Aged About 37 Years, Working As Lecturer (Panchayat) And Posted At Govt. Girls Higher Secondary School Dugali, Block Nagari, District- Dhamtari, Chhattisgarh
4. Smt. Lineshwari Markam, W/o Shri Payarelal Markam, Aged About 34 Years, Working As Lecturer (Panchayat) And Posted At Govt. High School Banspani, Block Nagari, District- Dhamtari, Chhattisgarh
5. Smt. Sarojani, W/o Shri Anirudra Kumar Sahu, Aged About 37 Years, Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Dhanapuri, Block Gurur, District Dhamtari, Chhattisgarh
6. Dilip Kumar Sahu, S/o Shri Gopal Sahu, Aged About 35 Years, Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Selegaon, Block Bhanupratappur, District- Kanker, 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 Dhamtari, District- Dhamtari, Chhattisgarh
4. District Education Officer Kanker, District- Kanker, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Anshuman Shrivastava, P. Lawyer

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

05.09.2019

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 Panchayat, Teacher Panchayat and Lecturer Panchayat 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	Second appointment /Joining Date	Date of subsequent appointment	Joining Date
Petitioner No. 1	23.06.10 SK Gr.-3	29.06.10	13.07.2012 SK Gr.- 1	20.07.12
Petitioner No. 2	25.06.10 SK Gr.-2	25.06.10	28.10.14 SK Gr.-1	28.10.14
Petitioner No. 3	14.06.10 SK Gr.-2	21.06.10	14.10.11 SK Gr.-1	02.11.11
Petitioner No.	13.06.05	16.06.10	01.03.13	08.03.13

4	SK Gr.-3 & Joined on 24.06.05	SK Gr.-2 & Joined on 25.06.10	SK Gr.-1	
Petitioner No. 5	02.03.19 SK Gr.-3 & Joined on 12.03.09	09.09.11 SK Gr.-1 & Joined on 15.09.11	14.10.11 SK Gr.-1	17.10.11
Petitioner No. 6	26.07.10 SK Gr.-1 & Joined on 12.08.10	30.09.13 SK Gr.-1 & Joined on 04.10.13	09.12.14 SK Gr.-1	16.12.14

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 Panchayat, Teacher Panchayat and Lecturer Panchayat of the petitioners and has granted the benefit of revised pay scale on completion of 8 years service starting from the time when the petitioner was initially appointed as Assistant Teacher Panchayat, Teacher Panchayat and Lecturer Panchayat.
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 services of the petitioners for the purpose of absorption, particularly when the department has counted the past services for the purpose of grant of revised pay scale.
6. Given the aforesaid fact, let the case of the petitioners be scrutinized by

respondent No. 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.

7. Let an order be passed by Respondent no. 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 Respondent 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.
8. With the aforesaid observation, the Writ Petition stands disposed off.

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