

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6979 of 2019**

1. Umashankar Sahu S/o Ramadhar Sahu Aged About 38 Years Working As Lecturer (Panchayat) At Government Higher Secondary School Jaitpuri, Block Farasgaon, District - Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
2. Laxman Kumar S/o Girdhar Markam Aged About 35 Years Working As Lecturer (Panchayat) At Government Higher Secondary School Bangoli, Block- Farasgaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
3. Premlata Dhruve D/o Jivan Lal Dhruve Aged About 36 Years Working As Lecturer (Panchayat) At Government Higher Secondary School Kibai Balenga, Block - Kondagaon, District - Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya Naya Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar, New Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Kondagaon, District - Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
5. District Education Officer, Kondagaon, District - Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondents

For Petitioners : Mr. Govind Dewangan, Advocate
 For State : Mr. Anshuman Shrivastava, PL

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 Shiksha Karmi Gr.-II and Shiksha Karmi Gr.-III by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment of and 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	Second appointment	Again Appointment
1	08.06.2005 SK Gr.-3	02.01.2012 (S.K.1)	
2	27.11.2010 SK Gr.-2	16.09.2011 (S.K. 1)	
3.	20.06.2006 SK Gr.-2	29.08.2008 (S.K.1)	24.11.2011 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 Gr.-II and Shiksha Karmi Gr.-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 Gr.-II and

Shiksha Karmi Gr.-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 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