

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7128 of 2019**

1. Yugal Kishore Rai, S/o Surit Lal Rai, Aged About 44 Years, Working As Lecturer Panchayat, Govt. Higher Secondary School, Sankra, Block: Berla, District : Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
2. Secretary, Education Department Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
3. Director, Public Instruction, Directorate Of Education, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
4. Commissioner-Cum-Director, Directorate Of Panchayat, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
5. Chief Executive Officer, Jila Panchayat Bemetara, District- Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

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

11.09.2019

1. The grievance of the petitioner in the present Writ Petition is the non-acceptance of the past service rendered by the petitioner as Shiksha

Karmi Grade-II 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 petitioner and the post against which she was appointed on two occasions are reflected in the chart as produced below:

Petitioner's Name	Date of Initial Appointment	Date of subsequent appointment
Shri Yugal Kishore	01.10.2010 SK Gr.-II	28.09.2011 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 Grade-II of the petitioner 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 Shiksha Karmi Grade-II.
4. The grievance of the petitioner now is that, though the Department has accepted the past service of the petitioner 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 petitioner 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 and an appropriate order be passed as to why the past service of the petitioner 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 respondents within a period of 90 days from the date of receipt of copy of this Order. It shall be the responsibility of the petitioner to apprise respondents, so far as the Order passed by this Court is concerned. The petitioner would be at liberty to file a suitable representation, if she so want, supported with all relevant documents.
8. With the aforesaid observation, the Writ Petition stands disposed off.

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