

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7336 of 2019**

Smt. Shweta Pandey W/o - Sandeep Pandey Aged About 43 Years Working
As Lecturer Panchayat, Government Higher Secondary School Bhimbhauri
Block Berla District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Petitioner**Versus**

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

---- Respondents

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

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

16.09.2019

1. The grievance of the petitioners in the present Writ Petition is the non-acceptance of the past service rendered by the petitioner as 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 the subsequent appointment of the petitioner and the subsequent appointment and the post against which she was appointed on two occasions are reflected in the chart as produced below:

Petitioners' Name	Date of Initial Appointment	Date of Subsequent Appointment
Smt. Sugandha Sahu	02.07.2010 SK Gr.-3	04.09.2011 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 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.-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 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 petitioner 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 of.

Sd/-
(P. Sam Koshy)
JUDGE