

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7991 of 2019

Rajesh Kumar Rai S/o Kirtan Lal Rai Aged About 33 Years Working As Lecturer (Panchayat) At Govt. High School Harethikala, Block Jaijaipur, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

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 Janjgir-Chapma, District Janjgir - Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Jeet Patel, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/09/2019

1. The grievance of the petitioner in the present writ petition is the non-acceptance of the past service rendered by the petitioner as Teacher (P) by the respondents for the purpose of absorption in the Education Department.
2. The details of the initial appointment 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:

Initial appointment	Later Appointment	Subsequent Appointment
14.06.2010 S.K.2	13.07.2011 (S. K.2)	13.08.2013 (S. K. 1)

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Teacher (P) 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 Teacher (P).

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 petitioner be scrutinized by respondents 1 & 2 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. 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 petitioner to apprise respondents 1 & 2 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 wants, supported with all relevant documents.
7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge