

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8358 of 2019**

- Smt. Savita Das, W/o. Sharad Chandra Das, Aged About 32 Years, Working As Teacher (Panchayat) At Government Middle School Tamdand, Block Khadgawan, District - Korea Chhattisgarh

---- Petitioner**Versus**

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

---- Respondents

For Petitioner : Shri Govind Dewangan, Advocate

For Respondents/State : Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/10/2019**

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 (P) by the respondents for the purpose of absorption in the Education Department.
2. The case of the peittioner is that the petitioner was initially appointed as a Assistant Teacher (P) way back in the year 2009 and subsequently got selected as Shiksha Karmi Grade-II in the year 2013. For the purpose of

grant of revised pay scale, the State Govt. has taken the past service rendered as Assistant Teacher (P) of the petitioner and has granted the benefit of revised pay scale on completion of 8 years service starting from 2009, that is the time when the petitioner was initially appointed as Assistant Teacher (P).

3. 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.
4. 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.
5. Given the aforesaid fact, let the case of the petitioners be scrutinized by respondent No. 3 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 respondent No. 3 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 respondent No. 3 so far as the order passed by this Court is concerned. The petitioners would be at liberty to file a suitable representation, if he so wants, supported with all relevant documents.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti