

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7757 of 2018**

1. Smt. Rajni Sharma W/o Shri Sharad Sharma Aged About 41 Years Presently Working As Lecturer (Panchayat) At Govt. High School, Kargikhurd, Block Kota, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Shweta Samuel W/o David Samuel Aged About 42 Years Presently Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Budhikhar, Block Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Smt. Shraddha Tiwari W/o Shri Pankaj Tiwari Aged About 45 Years Presently Working As Lecturer (Panchayat) At Govt. High School, Kaudiya, Block Masturi , District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Ku. Moonmoon Deb D/o Ashok Kumar Dev Aged About 33 Years Presently Working As Lecturer (Panchayat) At Govt. High School, Devkirari , Block Bilha, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Commissioner- Cum- Director Directorate Of Panchayat, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. District Education Officer Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Shri CJK Rao, Advocate
For State : Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27.06.2019

1. The grievance of the petitioners in the present writ petition is the non-acceptance of the past service rendered by the petitioners as Teacher (P) 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	Date of Subsequent Appointment
No.1	23.06.10 (S. K. 2)	14.07.11 (S. K. 1)
No.2	06.08.10 (S. K. 2)	22.06.10 (S. K. 1)
No.3	27.09.08 (S. K. 2)	04.07.11 (S. K. 1)
No.4	23.06.10 (S. K. 2)	04.07.11 (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 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 Teacher (P).

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 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