

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10761 of 2019

1. Kishori Bhatpare D/o. G.N. Bhatpare, Aged About 30 Years Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Baradwar-Basti, Block Sakti, District Janjgir Champa Chhattisgarh.
2. Anita Minj D/o. Late Shri Biroram Minj, Aged About 36 Years Working As Lecturer (Panchayat) At Govt. Higher Secondary School, Paladi-Khurd, Block Sakti, District Janjgir Champa Chhattisgarh **--- Petitioners**

Versus

1. State of Chhattisgarh Through The Secretary, Department Of School Education Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Director, Directorate of Chhattisgarh Public Instruction, Indrawati Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. District Education Officer, Sakti, District Janjgir Champa , District : Janjgir-Champa, Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Janjgir Champa District Janjgir Champa Chhattisgarh. **--- Respondents**

For the Petitioner : Mr. Jeet Patel, Advocate.

For the State/Respondents : Mr. Soumya Rai, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19-12-2019

1. The grievance of the petitioners in the present writ petition is the non-acceptance of the past service rendered by the petitioners as Shiksha Karmi class-II 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:

Name of Petitioner	Date of initial appointment	Date of subsequent appointment
Petitioner no. 1	23.06.2010	13.08.2013
Petitioner no. 2	10.11.2010	29.01.2013

3. For the purpose of grant of revised pay scale, the State Govt. has taken the past service rendered as Shiksha Karmi Class-II 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 class-II.
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/-
GOUTAM BHADURI
JUDGE**

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