

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 1003 of 2020**

- Maya Rani Dutta W/o Ravi Dutta Aged About 35 Years Working As Lecturer (Maths) (Nagriya Nikay) At Government Higher Secondary Boys School Katghora District - Korba (C.G.)

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, District- Raipur (Chhattisgarh)
2. State Of Chhattisgarh Through Secretary Department Of School Education, Mahanadi Bhawan, Mantralaya, District- Raipur, Chhattisgarh
3. Commissioner Urban Administration And Development Department Indravati Bhawan, New Raipur District Raipur, Chhattisgarh
4. District Education Officer Korba District- Korba (C.G.)
5. Chief Municipal Officer Municipal Office Katghora District- Korba Chhattisgarh
6. Block Education Officer Katghora District- Korba, Chhattisgarh

**---- Respondents**


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For Petitioner : Shri F.S. Khare, Advocate

For Respondents/ State : Shri Ravish Verma, G.A.

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****14/02/2020**

1. The prayer made by the petitioner in the Writ Petition is for issuance of direction to the respondents to count the petitioner's service from the date of appointment and not from the date of joining.
2. The petitioner had been seeking this relief so as to obtain the benefit of absorption in the School Education Department as per the policy of the State Government dated 30/06/2018 (Annexure-P/3).
3. The matter pertains to absorption of those Teachers (Panchayat/Urban

Administration Department) whose services have been taken by the School Education Department should be absorbed as per the policy dated 30/06/2018.

4. As per the said policy, whoever has rendered 8 years of service as on 01/07/2018 would be considered for absorption.
5. Subsequently, another order was passed on 02/07/2018 by the Secretary, School Education Department whereby it has been ordered that all those Teachers (Panchayat/Urban Administration Department) who have completed 8 years of service as on 01/07/2019 would be again considered for absorption and this process thereafter would be continued on the completion of 8 years of service by the department by the 1st of January as also by the 1st of July each year for the purpose of absorption
6. In the given facts, so far as the petitioners herein are concerned, their claim squarely falls within the circular for the purpose of absorption and this Court does not find any good reason for not granting the benefit in accordance with the policy dated 30/6/2018 to the petitioner herein subject to the petitioner fulfilling the other eligibility criteria required for absorption if any under the Rules.
7. Given the aforesaid factual matrix of the case, this Court is of the opinion that since the petitioner has rendered 8 years of service as on 02/01/2020 even from the date of joining i.e. 02/01/2012. The present Writ Petition can be disposed off with a direction to the concerned respondents to consider and decide their claim for absorption in accordance with the policy prevalent and the rules governing the field within a period of 90 days from the date of receipt of certified copy of this order.
8. Accordingly, the writ petition stand disposed off.

Sd/-

Goutam Bhaduri  
Judge