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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3015 of 2020**

1. Poonam Chand Joshi S/o Shri Ghanshyam Joshi, Aged About 30 Years Working As Assistant Teacher (Nagriya Nikay), Govt. Primary School, Indira Nagar, Dongargarh, Block Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
2. Omprakash Verma S/o Bhagwat Ram Verma, Aged About 28 Years Working As Assistant Teacher (Nagriya Nikay), Govt. Primary School, Badhiyatola, Dongargarh, Block Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
3. Shivram Singh Thakur S/o Shri Harisingh Thakur, Aged About 33 Years Working As Assistant Teacher (Nagriya Nikay), Govt. Primary School, Badhiyatola, Dongargarh, Block Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Director, Public Instructions, Directorate Of Education, Atal Nagar, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. State Of Chhattisgarh Through The Secretary, Urban Administration Department, Mahanadi Bhavan, Atal Nagar, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. District Education Officer, Rajnandgaon, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
5. Chief Executive Officer, Jila Panchayat Rajnandgaon, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
6. Chief Municipal Officer, Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
7. Block Education Officer, Dongargarh, District Rajnandgaon Chhattisgarh,

---- Respondents

For petitioners : Mr. Harish Khuntiya, Advocate.
For State ; Ms. Akanksh Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

7-8-2020

1. Grievance of the petitioners in the present writ petition is that though they have rendered their services more than 8 years as Shiksha Karmi Grade III, they have not been absorbed in the Education Department according to the circular of the State Government. The details of initial appointment and the subsequent appointment of the petitioners are mentioned as under.

S.N	Petitioners name	Date of initial appointment	Date of subsequent appointment
1.	Poonam Chand	27-9-2011 (SK-III)	17-4-2012 (SK-III).
2.	Omprakash Verma	27-9-2011 (SK-III)	31-12-2011 (SK-III)
3.	Shivram Singh Thakur	29-10-2011 (SK-III)	15-2-2012 (SK-III)

It is further contended that though the petitioners have been given revised pay-scale, but they have not been absorbed.

2. For the purpose of grant of revised pay scale, the State Government has taken the past service of the petitioner rendered as Shiksha Karmi Grade-III and has granted the benefit of revised pay scale on completion of 8 years of service starting from the time when the petitioner was initially appointed as Shiksha Karmi Grade-III.
3. 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.
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 petitioners 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 facts, let the case of the petitioners be scrutinized by the respondents 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.
6. Let an order be passed in this regard by the respondents within a period of four months from the date of receipt of copy

of this order.

7. It shall be the responsibility of the petitioners to apprise the respondents, so far as the order passed by this Court is concerned.
8. The petitioners would be at liberty to file a suitable representation, if so desired, supported with all relevant documents.
9. With the aforesaid observations, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)

J U D G E

Raju