

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3609 of 2020**

1. Nand Kishore Chedaiya S/o Shri Darbariram Chedaiya Aged About 58 Years Pesa, Sahayak Shikshak L.B., Shashkiya Prathmik Shala Balaudikala, Niwasi- Gram Balaudikala, Teh. Berla, Jila- Bemetara, Chhattisgarh
2. Sundar Singh Sahu S/o Late Shri Samaruram Sahu Aged About 50 Years Pesa, Vyakhyata L.B., Shashkiya Ucchatar Madhyamik Shala Baargaon Niwasi- Gram Baargaon, Teh. Berla, Jila- Bemetara, Chhattisgarh
3. Human Lal Dewangan S/o Shri Bhuvneshwar Prasad Dewangan Aged About 55 Years Pesha Shikshak L.B., Shashkiya Purv Madhyamik Shala Mudpaarkhurd, Niwasi- Gram Mudpaarkhurd, Teh.- Berla, Jila- Bemetara, Chhattisgarh
4. Yuvraj Singh Banafar S/o Shri Pooransingh Banafar Aged About 47 Years Pesa- Vyakhyata L.B., Shashkiya Highschool Atargadhi, Niwasi- Gram Atargadhi, Teh.- Berla, Jila- Bemetara, Chhattisgarh
5. Tikaram Sahu S/o Shri Ramdulare Sahu Aged About 49 Years Pesa- Shikshak L.B., Shashkiya Purv Madhyamik Shala Keeritpur, Niwasi- Gram Keeritpur, Teh.- Berla, Jila- Bemetara, Chhattisgarh
6. Bhuvan Singh Dhruw S/o Shri Ramkhilawan Dhruw Aged About 46 Years Pesa- Shikshak L.B., Shashkiya Purv Madhyamik Shala Kandarka, Niwasi- Gram Kandarka Teh. Berla, Jila- Bemetara, Chhattisgarh
7. Sanjay Kumar Dewangan S/o Shri Leelaram Dewangan Aged About 48 Years Pesa- Shikshak L.B., Shashkiya Purv Madhyamik Shala Kharra, Niwasi- Gram Kharra, Teh.- Berla Jila- Bemetara, Chhattisgarh
8. Himachal Prasad Sahu S/o Shri Santram Sahu Aged About 52 Years Pesa- Vyakhyata L.B., Shashkiya Ucchatar Madhyamik Vidyalay Baargaon, Niwasi- Gram Baargaon, Teh. Berla Jila Bemetara, Chhattisgarh
9. Madan Mohan Sahu S/o Shri Sewaram Sahu Aged About 49 Years Pesa Shikshak L.B., Shashkiya Kanya Purv Madhyamik Shala Kusmi, Niwasi- Gram Kusmi Teh. Berla, Jila Bemetara, Chhattisgarh
10. Chumman Lal Sahu S/o Shri Lakhn Lal Sahu Aged About 48 Years Pesa- Shikshak L.B., Shashkiya Kanya Purv Madhyamik Shala Kusmi, Niwasi- Gram Kusmi, Teh.- Berla, Jila- Bemetara, Chhattisgarh

11. Chovaram Sahu S/o Shri Thanwar Sahu Aged About 49 Years Pesa Shikshak L.B., Shashkiya Purv Madhyamik Shala Mudpaarkhurd, Niwasi- Gram Mudpaarkhurd Teh. Berla, Jila Bemetara, Chhattisgarh
12. Rajesh Kumar Verma S/o Shri Rameshwar Prasad Verma Aged About 50 Years Pesa Shikshak L.B., Shashkiya Purv Madhyamik Shal Jaamgaon, Niwasi- Gram Jaamgaon Teh. Berla, Jila- Bemetara, Chhattisgarh
13. Ghanshyam Prasad Sahu S/o Shri Ramcharan Sahu Aged About 49 Years Pesa- Sahayak Shikshak L.B., Shashkiya Prathmik Shala Bansha, Niwasi- Gram Bansha, Teh. Berla, Jila Bemetara, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Dwara- Sachiv, School Shiksha Vibhag, Mantralaya Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Sachiv Panchayat, Gramin Vikash Avam Shram Vibhag, Mantralaya Naya Raipur, Chhattisgarh
3. Mukhya Karyapalan Adhikari Janpad Panchayat Berla, Jila- Bemetara, Chhattisgarh
4. Jila Shiksha Adhikari, Bemetara Jila- Bemetara, Chhattisgarh
5. Khand Shiksha Adhikari Vikashkhand, Berla, Jila Bemetara, Chhattisgarh

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For Petitioners	:	Mr. Abdul Wahab Khan, Advocate
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For State	:	Ms. Akansha Jain, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.09.2020

Heard

1. Learned counsel for the petitioners submits that the petitioners have

filed an application that they were working prior to 1998 in the Panchayat Department and they were subsequently absorbed in Education Department. It is contended that the petitioners raised grievance that the amount was being deducted under National Pension Scheme (N.P.S.) from the salary and the N.P.S. has been implemented from 01.01.2004, whereas the petitioners have been appointed in the year 1998; therefore, the deduction under the N.P.S. cannot be made from their salary. It is further contended that the petitioners have made an application that the deduction may not be made under the N.P.S. and they should be allowed to give privilege which was given earlier. It is further contended that the petitioners have made an application to the District Education Officer, which may be directed to be decided.

2. At this stage, since limited prayer is made, the petitioners are given liberty to make a fresh representation redressing all the averments to the respondent No.4 within a period of 4 weeks, which shall be decided within a further period of 90 days from the date of receipt of the representation. It is observed that this Court has not made any observation on the merit of this case.
3. With the aforesaid observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge