

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4371 of 2020

1. Rajkumar Kurre S/o Shri Motilal Kurre Aged About 49 Years Occupation Teacher (Lb) Government Middle School Khadodakurd R/o Village Khadodakurd Thana Pipariya Block Kawardha District Kabirdham Chhattisgarh.
2. Rambilas Portey S/o Shri Johanram Portey Aged About 52 Years Occupation Teacher (Lb) Government Middle School Kherwar R/o Village Kherwar Thana Pipariya Block Kawardha District Kabirdham Chhattisgarh.
3. Rajendra Kumar Diwakar S/o Shri Kejha Ram Diwakar Aged About 44 Years Occupation Teacher (Lb) Government Middle School Dokabandha R/o Village Dokabandha Thana Pipariya Block Kawardha District Kabirdham Chhattisgarh.
4. Jyotish Kumar Diwakar S/o Shri Dukaloram Diwakar Aged About 47 Years Occupation Teacher (Lb) Government Middle School Kherwar R/o Village Kherwar Thana Pipariya Block Kawardha District Kabirdham Chhattisgarh.
5. Mohandas Lahre S/o Shri Dalichandra Lahre Aged About 42 Years Occupation Teacher (Lb) Government Middle School Nawghata R/o Village Nawghata Thana Pipariya Block Kawardha District Kabirdham Chhattisgarh.

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Versus

1. State Of Chhattisgarh Through The Secretary School Education Department , Mantralaya Mahanadi Bhawan Naya Raipur Chhattisgarh.
2. Secretary Panchayat Rural Development And Labour Department, Mantralaya Naya Raipur Chhattisgarh.
3. Cheif Executive Officer, Janpad Panchayat Kawardha District Kabirdham Chhattisgarh.
4. District Education Officer Kabirdham District Kabirdham Chhattisgarh.
5. Block Education Officer Block Kawardha , District Kabirdham Chhattisgarh.

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For Petitioner	:	Mr. Abdul Wahab Khan, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

05.11.2020

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