

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4752 of 2020**

1. Smt. Urmila Tamrakar, W/o Shri Sanjog Kumar Tamrakar, Aged About 40 Years, Working As Lecturer (Panchayat), Govt. Boys Higher Secondary School, Gurur, Block Gurur, And District- Balod, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Urban Administration, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
2. Secretary, Education Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
3. Director, Public Instructions, Directorate of Education, Atal Nagar, Naya Raipur, Chhattisgarh
4. Commissioner-Cum-Director, Directorate of Panchayat, Atal Nagar, Raipur, District Raipur, Chhattisgarh
5. Chief Executive Officer, Jila Panchayat Balod, District- Balod, Chhattisgarh
6. Chief Municipal Officer, Nagar Panchayat, Gurur, District Balod, Chhattisgarh

... Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate.
For Respondent-State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09.12.2020**

1. Grievance of the petitioner in the present writ petition is the non-acceptance of the past service rendered by the petitioner as Shiksha Karmi Grade-III by the respondents for the purpose of absorption in the Education Department.

2. The details of initial appointment of the petitioner as also the subsequent appointment and the post against which she was appointed on two occasions, are reflected in the chart as produced below:

Petitioner's name	Date of Initial Appointment	Date of Subsequent Appointment
Smt. Urmila Tamrakar	29.09.2011 (Shiksha Karmi Grade-III)	4.01.2012 (Shiksha Karmi Grade-III)

3. 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.
4. Grievance of the petitioner now is that, though the department has accepted the past service of the petitioner 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 petitioner 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 facts, let the case of the petitioner 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.
7. Let an order be passed in this regard by the respondents within a period of 90 days from the date of receipt of copy of this order.
8. It shall be the responsibility of the petitioner to apprise the respondents, so far as the order passed by this Court is concerned.

9. The petitioner would be at liberty to file a suitable representation, if she so wants, supported with all relevant documents.
10. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE

Rahul