

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4828 OF 2020**

1. Balmukund Sharma S/o Shri Deviprasad Sharma Aged About 52 Years Occupation - Assistant Teacher L.B., Government Primary School, Pasid R/o Village Bandhwapara Sarkanda, District Bilaspur (CG)
2. Vineet Kumar Devda S/o Late Shri Gyanendra Devda Aged About 56 Years Occupation - Assistant Teacher L.B. Government Primary School, Udgan R/o Near By Brihaspati Bazar Bilaspur, District Bilaspur (CG)
3. Santosh Kumar Tamboli S/o Shri R.B. Tamboli Aged About 53 Years Occupation - Assistant Teacher L.B. Government Primary School Tekar R/o Rajkishore Nagar, Chandan Awas, Bilaspur, District Bilaspur (CG)
4. Tejnarayan Shastri S/o Shri Rajaram Aged About 53 Years Occupation - Assistant Teacher L.B. Government Primary School Dagania R/o Vikasnagar 27 Kholi, Bilaspur, District Bilaspur (CG)
5. Rakesh Kumar Pandey S/o Shri Loknath Pandey Aged About 60 Years Occupation - Assistant Teacher L.B. Government Primary School Barbhatha Bitkuli, R/o Nehrunagar Parijat Colony Bilaspur, District Bilaspur (CG)
6. Jageshwar Prasad Kashyap S/o Shri Patiram Kashyap Aged About 55 Years Occupation - Assistant Teacher L.B. Government Primary School Salkha R/o Greenpark Colony, Jarhabhatha Bilaspur, District Bilaspur (CG)
7. Shivkumar Dewangan S/o Late Shri Sewakram Dewangan Aged About 54 Years Occupation - Assistant Teacher L.B. Government Primary School Godaiya R/o Near By Shitala Mandir Chantidih, Bilaspur, District Bilaspur (CG)
8. Vishal Singh Thakur S/o Late Shri Dilip Singh Thakur Aged About 57 Years Occupation - Assistant Teacher L.B. Government Primary School R/o Aarya Colony Tifra Bilaspur, District Bilaspur (CG)
9. Rajesh Kumar Sao S/o Late Shri Gajanand Prasad Sao Aged About 56 Years Occupation - Assistant Teacher L.B. Government Primary School Aashaband R/o Zorapara Sarkanda Bilaspur, District Bilaspur (CG)
10. Umend Singh Kashyap S/o Late Heerasingh Kashyap Aged About 55 Years Occupation - Assistant Teacher L.B. Government Primary School Dhuripara/paunsara R/o Village Seller Thana Ratanpur, District Bilaspur (CG)

... Petitioners**versus**

1. State of Chhattisgarh, through Secretary, School Education Department, Mantralay, Mahanadi Bhawan, Naya Raipur (CG)
2. Secretary Panchayat, Gramin Vikas and Shram Vibhag, Mantralay, Naya Raipur (CG)
3. Chief Executive Officer, Janpad Panchayat Bilha, District Bilaspur (CG)
4. District Education Officer, Bilaspur, District Bilaspur (CG)
5. Block Education Officer, Vikaskhand Bilha, District Bilaspur (CG)

... Respondents

For Petitioners	:	Mr. Abdul Wahab Khan, Advocate.
For Respondents/State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/12/2020**

1. Learned Counsel for Petitioners submits that the Petitioners have filed an application that they were working prior to 1991-92 in the Panchayat Department and they were subsequently absorbed in the Education Department. He contended that Petitioners raised a grievance that the amount was being

deducted under National Pension Scheme (N.P.S.) from their 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. He further contended that 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. He thus contended that 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 Respondent No.4 within a period of four weeks, which shall be decided within a further period of ninety days from the date of receipt of representation.

3. It is observed that this Court has not made any observation on the merit of this case.

4. Writ Petition accordingly stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE