

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 538 of 2021**

Awadh Bihari Dwivedi S/o Late Baram Ram Dwivedi Aged About 63
Years Occupation Retired Lecturer At Government Multipurpose Higher
Secondary School Janjgir District Jangir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Directorate Of Public Education, Indrawati Bhawan, Block -3, First Floor, New Raipur Atal Nagar, District Raipur Chhattisgarh
2. Directorate Of Public Education New Raipur Atal Nagar, District Raipur Chhattisgarh
3. Joint Director Of Public Education New Raipur Atal Nagar, District Raipur Chhattisgarh
4. District Education Officer Janjgir District Jangir Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Soumitra Kesharwani, Advocate
For State	:	Mr. Sudeep Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/02/2021**

1. The challenge in the present writ petition is to the impugned order Annexure P-1 whereby the representation of the petitioner so far as his claim for counting his seniority in service from the date of initial appointment as an Ad-hoc Lecturer has been rejected.
2. At the outset, this Court is of the opinion that petitioner does not have any case for the reason that petitioner is claiming for regularization in

service from 10.02.1986 which the department is said to have granted from 04.07.1986. According to the petitioner for the earlier 5 months period the petitioner has discharged his duties as Ad-hoc Teacher and that service also has to be counted.

3. This Court is of the opinion that if at all if the petitioner's service were being counted from 04.07.1986 and petitioner had been receiving all the benefits and all periodical promotions etc. accepting his date of appointment to be 04.07.1986 and all along the petitioner having never raised any objection so far as non counting of the earlier service rendered as an Ad-hoc Teacher between 10.02.1986 to 04.07.1986 now cannot be permitted to be agitated on the issue after his retirement.
4. Moreover from the perusal of record it appears that though the petitioner had been appointed as an Ad-hoc Teacher on 10.02.1986 but his services were subsequently discontinued on 30.04.1986 and thereafter he was reappointed w.e.f. 02.07.1986 onwards. Thus, there is a clear break in service also reflected during the intervening period. For this reason also the petitioner would not be entitled for the relief claimed for.
5. On the said limited grounds, the writ petition deserves to be and accordingly stands rejected.

Sd/-
(P. Sam Koshy)
Judge

Rohit