

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5236 of 2021**

1. Pawan Kumar Kashyap S/o Shri Mohitram Kashyap, Aged About 43 Years Assistant Teacher (Lb) Government Primary School Bagdi, Block Marvahi District Gaurella-Pendra- Marvahi (Chhattisgarh)
2. Sanjay Kumar Soni, S/o Shri Lal Chand Soni, Aged About 37 Years Assistant Teacher (Lb) Government Primary School Harradih, Block Pendra District Gaurella-Pendra-Marvahi (Chhattisgarh)
3. Smt. Swapnil Pawar, W/o Shri Praveen Pawar, Aged About 38 Years Assistant Teacher (Lb) Government Primary School Nevri Navapara, Block Gaurella District Gaurella- Pendra- Marvahi (Chhattisgarh)
4. Raj Kumar Sahu, S/o Shri Jeevan Lal Sahu, Aged About 39 Years Assistant Teacher (Lb), Government Primary School Bagaihapara Lara, Block Pendra District Gaurella- Pendra- Marvahi (Chhattisgarh)
5. Smt. Indeshwari Singh Baghel, W/o Shri Dinesh Singh Baghel, Aged About 45 Years Assistant Teacher (Lb) Kasturba Gandhi Balika Vidya Gaurella, Block Gaurella District Gaurella- Pendra- Marvahi (Chhattisgarh)
6. Smt. Laxmi Rathore, W/o Shri Ratiram Rathore, Aged About 36 Years Assistant Teacher (Lb), Government Primary School Kariyasarai, Block Gaurella District Garuella- Pendra- Marvahi (Chhattisgarh)
7. Santosh Kumar Kaiwartya, S/o Shri Ram Charan Kaiwartya, Aged About 38 Years Assistant Teacher (Lb) Government Primary School Bhadi, Block Pendra District Gaurella- Pendra- Marvahi (Chhattisgarh)
8. Bhandari Babu Kanwar, S/o Shri Sakha Ram Kanwar, Aged About 43 Years Assistant Teacher (Lb) Government Primary School Nadiyapara (Batra), Block Pali, District Korba Chhattisgarh, District : Korba, Chhattisgarh
9. Mahavir Singh Rajput, S/o Shri Sukhnandan Singh Rajput, Aged About 33 Years Assistant Teacher (Lb) Govrernment Primary School Masani, Block Lormi, District Mungeli Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Atal Nagar, New Raipur (Chhattisgarh)

2. Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar, New Raipur Chhattisgarh
3. Joint Director, Public Instruction, Education Division Bilaspur Chhattisgarh
4. District Education Officer, Bilaspur Division District Bilaspur Chhattisgarh

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For Petitioner	:	Mr. B. L. Dembra, Advocate.
For State	:	Ms. Binu Sharma PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.09.2021

1. The limited grievance that petitioner has in the present writ petition is for appropriate directions to the respondent no.2 to decide the representation which the petitioners have made in respect of seniority part is concerned.
2. The grievance of the petitioner is that the respondents while publishing the gradation list of Assistant Teacher(L.B.) in the year 2018 and in 2021 has reflected the date of entry in service as 2018. The petitioners were initially appointed between 2005 to 2010 as Shiksha Karmi Grade-III and on account of merger of the services of the petitioner to the Panchayat Department, they were treated as Assistant Teacher(Panchayat) from 2012. Thereafter they finally got merged with the Education Department in 2018. Grievance of the petitioners is that in the process of reflecting the date of entry in service as 2018, the service rendered for more than a decade under the Panchayat Department has got wiped off. They pray that in addition to the representation, they have made they be permitted to

make a fresh representation which be decided in a specified period of time.

3. To this limited prayer, the respondent does not have any objection. However, contention of the State counsel is that claim of the petitioner has to be decided purely in accordance with rules governing the field of seniority.
4. Be that as it may, the writ petition at this juncture stands disposed of directing the petitioners to make a fresh representation within a period of two weeks from today to the respondent no.2 and respondent no.2 in turn shall consider and decide the representation on its own merits in accordance with rules and regulations governing the seniority aspect at the earliest preferably within a period of 60 days from the date the petitioners make fresh representation.
5. With the aforesaid observation, the writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**