

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5282 of 2020**

1. Smt. Sharda Sharma W/o Shri Chandrashekhar Sharma, Aged About 46 Years, Occupation Assistant Teacher L.B. Government Primary School Bodari, R/o Ward No. 2, Bodari, Tahsil Bilha, District Bilaspur, Chhattisgarh
2. Rajkumar Barai S/o Shri Pachkaud Prasad, Aged About 61 Years, Occupation Teacher L.B. Govt. Balak Purv Madhyamik Sala, Loharsi (Sone), R/o Loharsi (Sone), Tehsil Masturi, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary School Education Department, Mantralaya Mahanadi Bhavan, Naya Raipur, Chhattisgarh
2. Secretary Panchayat, Village Development And Labour Department Mantralaya Naya Raipur, Chhattisgarh
3. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Bilaspur, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rajendra Kumar Patel, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.01.2021**

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 both the petitioners were appointed in the year 1999 and 1998 respectively; 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.3 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 made clear 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/-
P. Sam Koshy
Judge