

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 205/2021

1. Tirathram Manhar S/o Shri Tulsiram Manhar, Aged About 54 Years Occupation Teacher L.B.T. Shash. Purv Madhyamik Shala Gujartola, R/o Village Gujartola, Block Marwahi, District Gourela Pendra Marwahi (Chhattisgarh)
2. Naresh Kumar Patre, S/o Late Shri Aadamram Patre, Aged About 49 Years Occupation Teacher L.B.T. Shash. Purv Madhyamik Shala Chilhantola, R/o Village Chilhantola, Block Marwahi, District Gourela Pendra Marwahi (Chhattisgarh)
3. Rewaram Dhritesh S/o Shri Jhalardas Aged About 45 Years Occupation Teacher L.B.T. Shash. Purv Madhyamik Shala Darritola, R/o Village Darritola, Block Marwahi, District Gourela Pendra Marwahi (Chhattisgarh)
4. Smt. Uma Dhritesh W/o Shri Rewaram Dhritesh, Aged About 41 Years Occupation Teacher L.B.T. Shash. Purv Madhyamik Shala Darritola, R/o Village Darritola, Block Marwahi, District Gourela Pendra Marwahi (Chhattisgarh), District : Gaurela-Pendra-Marwahi, Chhattisgarh
5. Ramcharan Markam S/o Shri Motilal Markam, Aged About 48 Years Occupation Teacher L.B.T. Shash. Purv Madhyamik Shala Chilhantola, R/o Village Chilhantola, Block Marwahi, District Gourela Pendra Marwahi (Chhattisgarh), District : Gaurela-Pendra-Marwahi, Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, School Shiksha Vibhag, Mantralay Mahanadi Bhawan Naya Raipur (Chhattisgarh)
2. Secretary, Panchayat, Gramin Vikash Avm Shram Vibhag, Mantralay Naya Raipur Chhattisgarh.
3. Mukhya Karyapalan Adhikari Janpad Panchayat Bilha, District Bilaspur Chhattisgarh.
4. District Education Officer, District Gourela Pendra Marwahi (Chhattisgarh)
5. Block Education Officer, Block Marwahi, District Gourela Pendra Marwahi Chhattisgarh.

---Respondents

For Petitioners	:	Shri Abdul Wahab Khan, Advocate.
For State	:	Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.02.2021.

1. Heard.
2. Learned counsel for the petitioners submits that the petitioners have filed an application that they were working prior to 1998, 2000 and 2001 respectively 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 the petitioners have been appointed in the year 1998, 2000 and 2001 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.

3. 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.4 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 observed that this Court has not made any observation on the merit of this case.
4. with the aforesaid observation, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge