CGHC010216052026 2026:CGHC:43500

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4463 of 2026

1 - Subelal Bariha S/o Shri Ramji Bariha, Aged About 39 Years Working As Assistant Teacher (L. B.) At Government Primary School, Arangi, Block - Pithora, District - Mahasamund (C.G.)

2 - Laxman Kumar Choudhary S/o Shri Premlal Choudhary Aged About 44 Years Working As Assistant Teacher (L. B.) At Government Primary School, Harilchhapar, Block - Basna, District - Mahasamund (C.G.)

3 - Digreelal Patel S/o Shri Benudhar Patel Aged About 50 Years Working As Assistant Teacher (L. B.) At Government Primary School, Kawarpali, Block - Saraipali, District - Mahasamund (C.G.)

4 - Manoj Kumar Patel S/o Shri Shouki Lal Patel, Aged About 37 Years Working As Assistant Teacher (L. B.) At Government Primary School, Sapwadipa , Block - Saraipali , District - Mahasamund (C.G.)

5 - Girdhari Lal Bhoi S/o Shri Bhaina Bhoi Aged About 43 Years Working As Assistant Teacher (L. B.) At Government Primary School, Chhuipali , Block - Saraipali, District - Mahasamund (C.G.)

6 - Gurudev Nand S/o Shri Sartik Nand Aged About 40 Years Working As Assistant Teacher (L. B.) At Government Primary School, Bagdwari, Block - Saraipali , District - Mahasamund (C.G.)

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7 - Vidyadhar Patel S/o Shri Premlal Patel Aged About 39 Years Working As Assistant Teacher (L. B.) At Government Primary School, Jogidipa, Block - Saraipali , District - Mahasamund (C.G.)

8 - Kishan Lal Choudhary S/o Shri Sohan Lal Choudhary Aged About 45 Years Working As Assistant Teacher (L. B.) At Government Primary School, Baradoli, Block - Saraipali , District - Mahasamund (C.G.)

9 - Chudamani Sahu S/o Shri Banmali Sahu Aged About 43 Years Working As Assistant Teacher (L. B.) At Government Primary School,guthanipali, Block - Saraipali , District - Mahasamund (C.G.)

10 - Kunwarmati Bhoi D/o Shri Jailal Bhoi, Aged About 40 Years Working As Assistant Teacher (L. B.) At Government Primary School, Sighoda, Block - Saraipali , District - Mahasamund (C.G.)

11 - Anjalina Nand D/o Shri Philip Nand Aged About 43 Years Working As Assistant Teacher (L. B.) At Government Primary School, Kasdol, Block - Saraipali , District - Mahasamund (C.G.)

12 - Gunwant Bhoi S/o Shri Karan Das Bhoi Aged About 45 Years Working As Assistant Teacher (L. B.) At Government Primary School, Raksha, Block - Saraipali , District - Mahasamund (C.G.)

13 - Hemant Kumar Bhoi S/o Shri Dayaram Bhoi Aged About 42 Years Working As Assistant Teacher (L. B.) At Government Primary School, Jatakanhar, Block - Saraipali , District - Mahasamund (C.G.)

14 - Ku. Lekha Nagwanshi D/o Shri Ganeshram Nagwanshi Aged About 39 Years Working As Assistant Teacher (L. B.) At Government Primary School, Chandibhona, Block - Saraipali , District - Mahasamund (C.G.)

15 - Dilip Kumar Pradhan S/o Shri Subhash Chandra Pradhan Aged About 42

Years Working As Assistant Teacher (L. B.) At Government Primary School, Jognipali, Block - Saraipali , District - Mahasamund (C.G.)

16 - Smt. Yogita Pradhan W/o Shri Dilip Kumar Pradhan Aged About 37 Years Working As Assistant Teacher (L. B.) At Government Primary School, Pandapara, Block - Saraipali , District - Mahasamund (C.G.)

17 - Krishan Kumar Bhoi S/o Shri Samprt Lal Bhoi Aged About 38 Years Working As Assistant Teacher (L. B.) At Government Primary School, Bastipali, Block - Saraipali , District - Mahasamund (C.G.)

18 - Chandrakumar Sahu S/o Shri Harihar Sahu Aged About 42 Years Working As Assistant Teacher (L. B.) At Government Primary School, Jampali, Block - Saraipali , District - Mahasamund (C.G.)

19 - Kartik Ram Barik S/o Shri Uttar Kumar Barik Aged About 38 Years Working As Assistant Teacher (L. B.) At Government Primary School, Kalenda, Block - Saraipali , District - Mahasamund (C.G.)

... Petitioners

versus

1 - State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

2 - Director Directorate Of Public Instructions, Indravati Bhawan, Atal Nagar, Nawa Raipur, District - Raipur, (C.G.)

3 - Joint Director Education Division, Raipur, District - Raipur (C.G.)

4 - District Education Officer Mahasamund, District - Mahasamund (C.G.)

5 - Block Education Officer, Pithora, District - Mahasamund (C.G.)

6 - Block Education Officer Saraipali, District - Mahasamund (C.G.)

7 - Block Education Officer Basna, District - Mahasamund (C.G.)

... Respondents

For Petitioners	:	Mr. Pramod Ramteke, Advocate
For State/Respondent	:	Mr. Aditya Tiwari, PL

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

07/10/2026

1. The instant writ petition has been filed by the petitioners questioning the impugned rejection order dated 24.04.2026 (Annexure P-1) passed by respondent No.4/District Education Officer, Mahasamund, District Mahasamund (C.G.), whereby the claim of the petitioners for determination of their seniority from the date of their initial appointment has been rejected on the ground that their seniority would be reckoned from the date of joining at the transferred place.

2. The case of the petitioners, in brief, is that they were initially appointed as Shiksha Karmi Grade-III by the Panchayat and Rural Development Department between the years 2005 and 2008. Subsequently, they were administratively transferred within the same district, i.e. Mahasamund, between the years 2008 and 2017. Thereafter, pursuant to the State Government's absorption order dated 30.06.2018, the petitioners were absorbed as Assistant Teachers (L.B.) in the School Education Department with effect from 01.07.2018. The respondents published a Gradation List on 26.11.2025, wherein, according to the petitioners, their seniority was erroneously computed from the dates of their subsequent transfers instead of their respective dates of initial appointment, thereby

relegating them to lower positions in the seniority list.

3. Aggrieved by the aforesaid Gradation List, the petitioners had earlier approached this Court by filing separate writ petitions, bearing WPS Nos.2391/2026 and 2290/2026. The said writ petitions were disposed of by this Court with a direction to respondent No.4 to consider the representations of the petitioners in accordance with law within the stipulated period. However, respondent No.4, by the impugned order dated 24.04.2026, rejected the claim of the petitioners, observing that their seniority was liable to be reckoned from the date of their joining at the transferred place.

4. Learned counsel appearing for the petitioners submits that the issue involved in the present petition is no longer res integra. It is submitted that an identical issue has already been considered and decided by this Court in WPS No.3021 of 2023, wherein the claim of the similarly situated petitioners for determination of seniority by taking into consideration their initial date of appointment was directed to be considered and consequential benefits were directed to be extended in accordance with law.

5. Learned State counsel does not dispute that the issue involved in the present petition is identical to the issue which has already been considered by this Court in WPS No.3021 of 2023.

6. I have heard learned counsel for the parties and perused the documents.

7. This Court in WPS No.3021 of 2023 has passed the following order:

> 9. Considering the case in hand and particularly considering

> the fact that the present matter is identical to earlier petitions decided by this Court, the respondent authorities are directed to consider the case of the petitioners for grant of promotion on the post of Head Master taking into consideration their initial date of appointment and to give them all consequential benefits in accordance with law.
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> 10. With the aforesaid observation/direction, this Writ Petition is disposed of.

8. Considering the case in hand and particularly the fact that the present matter is identical to the issue which has already been considered and decided by this Court in WPS No.3021 of 2023 vide order dated 31.01.2026, the respondent authorities are directed to consider the claim of the petitioners for determination of their seniority by taking into consideration their initial date of appointment, instead of the date of their subsequent transfer, and to extend all consequential benefits to them in accordance with law. The impugned order dated 24.04.2026 (Annexure P/1) is accordingly set aside.

9. With the aforesaid observation/direction, this writ petition is allowed and disposed of.

SD/-
(Bibhu Datta Guru)
JUDGE

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