

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 820 of 2021

1. Arun Kumar Tandon S/o Kalicharan, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Chhuiha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Ramesh Kumar Paikra S/o Jhaduram Paikra, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Sutiurkuli, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. Lalit Kumar Sahu S/o Nammu Ram Sahu, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Bisanpur, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Bhupndra Prasad Dadsena S/o Raghunandan Prasad Dadsena, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Khursula, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. Prakashmani Dewangan S/o Sunderlal, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Parsapali, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
6. Buddheshwar Prasad Sahu S/o Awadhram, Aged About 46 Years Working As Assistant Teacher (L.B.), Government Primary School, Darra, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
7. Dou Singh Netam S/o Pujeri Singh Netam, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Tegnachhar, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
8. Ganpat Ram Gahir S/o Bihar Lal Gahir, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Tegnachhar, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
9. Sattar Khan S/o Rajjaq Khan, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Pandripani, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
10. Makhan Lal Tomar S/o Sadhram, Aged About 53 Years Working As Teacher (L.B.), Government Middle School, Purani Basti Chhuiha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
11. Shanilal Vishal S/o Gangaram Vishal, Aged About 53 Years Working As Teacher (L.B.), Government Middle School, Gardih, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
12. Kamal Singh Jagat S/o Mahettar Singh Jagat, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Amakachhar, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

13. Narayan Singh Tomar S/o Bhakhlaram Tomar, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Dhaurabhatha (A), Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
14. Devkumar Tomar S/o Lachchhiram Tomar, Aged About 42 Years Working As Teacher (L.B.), Government Middle School, Dhansir, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
15. Santram Chandrawanshi S/o Dukhiram Chandrawanshi, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Dayalpur, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
16. Chhote Kumar Netam S/o Dashrath Netam, Aged About 48 Years Working As Teacher (L.B.), Government Middle School, Gardih, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
17. Shobharam Netam S/o Raghuveer Netam, Aged About 53 Years Working As Teacher (L.B.), Government Middle School, Amakachhar (A), Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
18. Ramdas Sahu S/o Raghunath Sahu, Aged About 50 Years Working As Lecturer (L.B.), Government High School, Dharasiv, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
19. Kanwal Sai Sahu S/o Sonauram Sahu, Aged About 50 Years Working As Teacher (L.B.), Government Middle School, Ramtala, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
20. Leeladhar Prasad Kumhar S/o Rameshwar Prasad Kumhar, Aged About 50 Years Working As Lecutrer (L.B.), Government High School, Saliha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
21. Murlidhar Prajapati S/o Rameshwar Prasad Prajapati, Aged About 45 Years Working As Teacher (L.B.), Government Middle School, Kodopali, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
22. Snehlata D/o Ramsharan Singh, Aged About 53 Years Working As Assistant Teacher (L.B.), Primary School, Bhandora, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
23. Chandrika Sahu D/o Laxmi Prasad Sahu, Aged About 46 Years Working As Teacher (L.B.), Government Primary School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
24. Bodhram Ratre S/o Bhdhram Ratre, Aged About 54 Years Working As Assistant Teacher (L.B.), Primary School, Lujhpara, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
25. Ganpat Lal Jakhar S/o Lalta Jakhar, Aged About 46 Years Working As Assistant Teacher (L.B.), Government Primary School, Khairjithi, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
26. Rupnath Dhruw S/o Janakram Dhruw, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Nawapara, Block -

- Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
27. Purander Singh Dixit S/o Kartikeshwar Singh Dixit, Aged About 51 Years Working As Assistant Teacher (L.B.), Primary School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
28. Rukmani Dixit D/o Purander Singh, Aged About 41 Years Working As Assistant Teacher (L.B.), Primary School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
29. Shivprasad Jaiswal S/o Lakhan Lal, Aged About 50 Years Working As Assistant Teacher (L.B.), Primary School, Rampur, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
30. Rameshwar Singh Dhruw S/o Jaysingh Dhruw, Aged About 51 Years Working As Teacher (L.B.), Middle School, Surguli, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
31. Purushottam Prasad Jaiswal S/o Jagannath Prasad, Aged About 50 Years Working As Teacher (L.B.), Government Boys High. Middle School, Bilaigarh, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
32. Panchram Kaiwart S/o Dayaram Kaiwart, Aged About 51 Years Working As Teacher (L.B.), Government Boys High. Middle School, Bilaigarh, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
33. Hetram Verma S/o Radheshyam, Aged About 53 Years Working As Teacher (L.B.), Government Boys High. Middle. School, Bilaigarh, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
34. Dharendra Sahu S/o Ramadhin Sahu, Aged About 53 Years Working As Teacher (L.B.), Government Boys High. Middle, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
35. Milketan Lal Patel S/o Ramu Narayan Patel, Aged About 56 Years Working As Teacher (L.B.), Government Boys High. Middle School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
36. Bhagirathi Miri S/o Mayaram Miri, Aged About 45 Years Working As Teacher (L.B.), Government Boys High. Middle School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
37. Harendra Kumar Shandilya S/o Romnath Shandilya, Aged About 48 Years Working As Teacher (L.B.), Government High. Middle. School, Sursula, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
38. Janakram Manjhi S/o Feruram Manjhi, Aged About 45 Years Working As Teacher (L.B.), Government Primary School, Amaldiha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
39. Santosh Kumar Dhruw S/o Sadhram Dhruw, Aged About 47 Years Working As Teacher (L.B.), Government Middle School, Nawapara, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

40. Smt. Kholbahrin Purena D/o Shriram Purena, Aged About 50 Years Working As Teacher (L.B.), Government Primary School, Amaldiha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
41. Ramratan Diwan S/o Battulal Diwan, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Ramtala, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
42. Ashok Kumar Sahu S/o Babulal Sahu, Aged About 51 Years Working As Assistant Teacher (L.B.), Primary School, Belmudi, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
43. Manohar Das Kurre S/o Kartik Ram Kurre, Aged About 49 Years Working As Teacher (L.B.), Government Middle School, Govindvan, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
44. Gendlal Amliwari S/o Chainuram Amliwari, Aged About 46 Years Working As Teacher (L.B.), Government Primary School, Devarha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
45. Smt. Uma Kaiwart W/o Chitrangan, Aged About 44 Years Working As Teacher (L.B.), Primary School, Devarha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
46. Jitendra Kumar Sahu S/o Chheduram, Aged About 53 Years Working As Teacher (L.B.), Government High Middle School, Pavni, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
47. Smt. Jayshri Sahu W/o Jitendra, Aged About 46 Years Working As Teacher (L.B.), Government Middle School, Jaygahan, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
48. Smt. Suchitra Kaiwartya W/o Antram Kaiwartya, Aged About 50 Years Working As Teacher (L.B.), Government Middle School, Dhaurabhatha, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
49. Bhuneshwar Prasad Jangde S/o Shri Devprasad Jangde, Aged About 50 Years Working As Teacher (L.B.), Government High Middle School, Bilaigarh, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
50. Smt. Lakeshwar Jangde W/o Bhuneshwar Prasad Jangde, Aged About 45 Years Working As Teacher (L.B.), Government High Middle School, Bilaigarh, Block - Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh, Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Secretary, Government Of Chhattisgarh, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur Chhattisgarh., District : Raipur, Chhattisgarh

3. The Chief Executive Officer, Zila Panchayat, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. The District Education Officer, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. The Chief Executive Officer, Janpad Panchayat, Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---Respondents

For Petitioners	:	Shri K.P. Sahu, Advocate.
For Respondents/State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26.02.2021

1. Defaults pointed out by the Registry being minor stands ignored as of now and with the consent of the parties, the matter is heard finally at motion stage.
2. Learned counsel for the petitioners submits that the petitioners have filed an application that they were working prior to 1998-99 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

inder