



2026:CGHC:21050-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 377 of 2026**

- 1** - Giteshwari Sahu W/o. Giteshwar Sahu Aged About 31 Years Presently Posted As Assistant Teacher At Govt. Primary School Pikari, Block- Bemetara, District- Bemetara (C.G.)
- 2** - Dharmendra Kumar Rao S/o. D ani Rao Aged About 39 Years Presently Posted As Assitant Teacher At Govt. Primary School Dohtra, Block- Nawagarh, District- Bemetara (C.G.)
- 3** - Bhupendra Dhruw S/o. Ghashiya Ram Dhruw Aged About 35 Years Presently Posted As Assitant Teacher At Govt. Boys Primary School Maro, Block- Nawagarh, District- Bemetara (C.G.)
- 4** - Priti Dewangan W/o Ravi Dewangan Aged About 33 Years Presently Posted As Assistant Teacher At Govt. Primary School Nawagarh, Block Nawagarh, District Bemetara (C.G.)
- 5** - Shailendra Kashyap S/o Kamta Kashyap Aged About 41 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Nawagarh, Block Nawagarh, District Bemetara (C.G.)
- 6** - Santram Sahu S/o Jai Sahu Aged About 42 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Jeeva, Block Bemetara, District Bemetara (C.G.)
- 7** - Rohit Kumar S/o Ghanshyam Aged About 39 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Berla, Block Berla, District Bemetara (C.G.)
- 8** - Khilendra Singh Thakur S/o Chandrabhan Singh Thakur Aged About 34 Years Presently Posted As Assistant Teacher At Govt. Primary School Berla, Block Berla, District Bemetara (C.G.)
- 9** - Manish Kumar Markam S/o Deepak Kumar Markam Aged About 36 Years Presently Posted As Assistant Teacher At Govt. Primary School Berla, Block Berla, District Bemetara (C.G.)
- 10** - Santosh Das Koshle S/o Mohan Das Koshle Aged About 37 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Berla, Block Berla, District Bemetara (C.G.)
- 11** - Sewati Dhruv D/o Ganesh Dhruv Aged About 34 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Khamharia, Block Saja, District Bemetara (C.G.)



12 - Kavita Bai Patel W/o Satyanarayan Patel Aged About 35 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Parpodi, Block Saja, District Bemetara (C.G.)

13 - Omprakash Sahu S/o Ramu Sahu Aged About 40 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Parpodi, Block Saja, District Bemetara (C.G.)

14 - Pratibha Sahu D/o D.S. Sahu, Aged About 39 Years Presently Posted As Assistant Teacher At Govt. Girls Primary School Berla, Block Berla, District Bemetara (C.G.)

... Appellants

versus

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

2 - State Of Chhattisgarh Through Its Secretary, Urban And Administration And Development Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

3 - Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur (C.G.)

4 - Director Urban Administration And Development, Government Of Chhattisgarh, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur (C.G.)

5 - District Education Officer, District Bemetara (C.G.)

6 - Chief Executive Officer, Nagar Panchayat, Bemetara, District Bemetara (C.G.)

7 - Chief Executive Officer, Janpad Panchayat Bemetara, District Bemetara (C.G.)

8 - Chief Executive Officer, Janpad Panchayat, Nawagarh, District Bemetara (C.G.)

9 - Chief Executive Officer, Janpad Panchayat Berla, District Bemetara (C.G.)

10 - Block Education Officer, Block Bemetara, District Bemetara (C.G.)

11 - Chief Executive Officer, Janpad Panchayat Nawagarh, District Bemetara (C.G.)

12 - Block Executive Officer, Block Berla, District Bemetara (C.G.)

... Respondents

For Appellant(s) : Mr. Deepak Kaushik, Advocate.

For Respondent(s) : Mr. Prasun Kumar Bhaduri, Dy. Advocate
General.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Judgment on Board

Per Ramesh Sinha, Chief Justice

06/05/2026

1 Heard Mr. Deepak Kaushik, learned counsel for the appellants as well as Mr. Prasun Kumar Bhaduri, learned Deputy Advocate General, appearing for the Respondent/State on I.A. No.01, which is an application for condonation of delay of 37 days in preferring the present appeal.

2 On due consideration the grounds assigned in the application (I.A. No.01), the same is allowed. Delay of 37 days in preferring the present writ appeal is hereby condoned.

3 The present writ appeal is directed against the order dated 24.11.2025 passed by learned Single Judge of this Court in WPS No.13533/2025, whereby the writ petition filed by petitioners was dismissed.

4 Learned counsel appearing for the parties submit that the issue involved in this writ appeal has already been considered and decided by this Court vide judgment dated 13.03.2026 in Writ Appeal No.191/2026, whereby this Court has held as under:-

“10. This Court while dismissing the writ appeal filed by writ appellants has observed as under:-

“The entire controversy revolved around the Circular dated 10.03.2017 issued by the State Government with respect to the grant of Kramonnati



Vetanman to the Assistant Teachers. It is necessary to notice here the circular dated 10.03.2017, which reads as under:

छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग
मंत्रालय
महानदी भवन, नया रायपुर
क्रमांक एफ 10-1/2008/1-3 नया रायपुर दिनांक 10/03/2017
प्रति,
शासन के समस्त विभाग,
अध्यक्ष, छत्तीसगढ़ राजस्व मण्डल, बिलासपुर
समस्त विभागाध्यक्ष,
समस्त संभागायुक्त
समस्त कलेक्टर्स,
छत्तीसगढ़

विषय :- सहायक शिक्षकों को कमोन्नति वेतनमान प्रदाय किए जाने बाबत।

संदर्भ :- इस विभाग का समसंख्यक परिपत्र दिनांक 24.04.2006.

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इस विभाग के संदर्भित परिपत्र द्वारा शिक्षक संवर्ग में सहायक शिक्षक, शिक्षक तथा व्याख्याता को सामान्य प्रशासन विभाग के परिपत्र क्रमांक एफ 1-1/1/वेआप्र/99, दिनांक 17.03.1999/19.04.1999 में निहित शर्तों के अध्यक्षीन प्रथम कमोन्नति 12 वर्ष बाद तथा द्वितीय क्रमोन्नति 24 वर्ष बाद प्रदान किया गया है। वित्त विभाग के ज्ञापन क्रमांक 216/सी-2802/10/वित्त/नियम/धार, दिनांक 04.08.2010 (वित्त निर्देश 32/2010) द्वारा क्रमोन्नति योजना को संशोधित कर शिक्षक तथा व्याख्याता संवर्ग को प्रथम उच्चतर समयमान वेतनमान 10 वर्ष बाद एवं द्वितीय उच्चतर समयमान वेतनमान 20 वर्ष बाद देने का निर्णय लिया गया है।

2/अतएव उपरोक्त निर्णय के परिप्रेक्ष्य में राज्य शासन द्वारा निर्णय लिया गया है कि इस विभाग के संदर्भित परिपत्र दिनांक 24.04.2006 की कंडिका-2 में "सहायक शिक्षक" को प्रथम कमोन्नति 10 वर्ष बाद एवं द्वितीय क्रमोन्नति 20 वर्ष बाद प्रदान की जाए।

3/उपरोक्त निर्णय के संबंध में यह स्पष्ट किया जाता है कि कमोन्नति की देयता तिथि के अनुसार केवल काल्पनिक वेतन निर्धारण किया जाएगा एवं किसी प्रकार के एरियर्स देय नहीं होंगे।

4/यह आदेश वित्त विभाग के कम्प्यूटर क्रमांक एफ-2017-01-01093 दिनांक 09.02.2017 द्वारा दी गई सहमति के आधार पर जारी किया गया है।

छत्तीसगढ़ के राज्यपाल के नाम से
तथा आदेशानुसार,
(एम.आर.ठोकूर) अवर सचिव,



छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग

17. From perusal of the contents of the circular dated 10.03.2017, it is quite vivid that the Assistant Teachers, who were in Government service, are to be granted first Kramonnati Vetanman after 10 years of their service and second Kromonnati Vetanman after 20 years of their service, and the teachers and lecturers are to be granted first time-bound pay scale after 10 years of service and second time-bound pay scale after 20 years of service.

18. From Para-8.8 of the writ petition, undisputedly the petitioners have been appointed to the post of Shiksha Karmi Grade-III/Grade-II between the period of 2008 and 2013. It is also relevant to notice here paragraph 8.8 of the writ petition, which reads as follows:

“8.8 Between 2008-2013, the Chief Executive Officer of Janpad Panchayat appointed the Petitioners in the post of Assistant Teacher Shikshakarmi Grade-3/Teacher- Shikshakarmi Grade 2. After completion of 2 years from the date of joining, the Petitioners who were appointed as Assistant Teachers were Regularization by the Chief Executive Officer of Janpad Panchayat and Teachers were Regularization by the Chief Executive Officer of Zila Panchayat.”

19. When the petitioners in the present writ petition were appointed between 2008 and 2013, they had not completed 10 years of their service on the date when the Circular dated 10.03.2017 was issued.

20. From a bare perusal of the Circular dated 10.03.2017, it is abundantly clear that the said circular does not deal with or extend benefits to the Teachers belonging to the Panchayat Cadre, including Shiksha Karmi. The circular specifically provides for the grant of first-time-bound pay scale and second-time-bound pay scale to regular



Government employees, in accordance with the earlier circulars issued by the State Government dated 17.03.1999 and 19.04.1999.

21. In the present case, the petitioners were working as Shiksha Karmi under the Panchayat Department, and it is an undisputed position that Shiksha Karmi were not employees of the State Government until their absorption into the School Education Department pursuant to the policy decision of the State Government dated 30.06.2018. Before such absorption, their appointment, service conditions, and other benefits were governed by the statutory framework applicable to Panchayat employees, and not by the rules or circulars applicable to State Government employees.

22. Therefore, since the petitioners were admittedly the employees of the Panchayat Department before the absorption policy came into force, they cannot claim the status of a Government Servant for the purpose of seeking the benefit of time-bound pay scale or Kramonnati Vetanman under the Circular dated 10.03.2017. Their service conditions were governed by the Chhattisgarh Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 2007, the Rules of 2012, or any other rules framed under Section 95 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993, which regulate the service conditions of Panchayat employees.

23. Thus, in view of the clear distinction between State Government employees and Panchayat cadre employees, the petitioners cannot derive any benefit from the Circular dated 10.03.2017 or the earlier circulars dated 17.03.1999/19.04.1999, as those circulars apply solely to Government servants of the State, and not to employees appointed under the Panchayat department.

24. The distinguishable feature of the case of Smt. Sona Sahu (Writ Appeal No. 261/2023) are that she was appointed to the post of Assistant Teacher vide order dated 29.07.2005 and was posted at Government Primary School, Narayanpur. On 01.07.2011, the State Government, Department of Finance and Planning issued a Circular regarding



Kramonnati Vetanman to the employees. The Department of Panchayat and Rural Department, Chhattisgarh, Raipur, also issued a Circular dated 02.11.2011 regarding Kramonnati Vetanman after completion of 10 years of service. On 17.05.2013, the department of Panchayat and Rural Development, Chhattisgarh, Raipur issued another circular with respect to the equalisation of pay scale between Government Teachers and Teacher Panchayat after completion of 08 years of their services. Further, vide circular dated 14.11.2014, the earlier circular dated 02.11.2011 was cancelled with effect from 01.05.2013. The petitioner was granted the benefit of Kramonnati Vetanman vide order dated 15.01.2020, but the said order was cancelled vide order dated 29.02.2020 on the ground that the Circular dated 02.11.2011 has already been cancelled with effect from 01.05.2013 vide order dated 14.11.2014, and since the petitioner, who has not completed 10 years of her service in the cadre, was not entitled to Kramonnati Vetanman. While passing the order dated 15.01.2020, the authorities had considered the circulars dated 07.03.2019, 06.04.2019, and granted Kramonnati Vetanman to Sona Sahu with effect from 01.08.2015 and thereafter the concerned authority sou motu re-considered the order dated 15.01.2020 and passed the order on 29.02.2020, by which the benefit granted to Smt. Sona Sahu was cancelled. While considering the matter, the concerned authority had not consider the circular dated 10.03.2017 and 07.03.2019. In the peculiar facts of the case of Smt. Sona Sahu (Writ Appeal No. 261/2023) was granted the benefit of Kramonnati Vetanman, vide order dated 28.02.2024, passed in Writ Appeal No. 261/2023. The challenge of the order dated 28.02.2024 passed in Writ Appeal No. 261/2023, and Review Petition No. 147/2024 is dismissed by the Hon'ble Supreme Court vide order dated 17.03.2025, passed in SLP (C) Diary No. 58525/2024, by observing that in the peculiar facts of the case of Smt. Sona Sahu, no interference is called for, and accordingly, the SLP(C) was dismissed by the Hon'ble Supreme Court.



25. *In the present case, the petitioners are appointed to the post of Shiksha Karmi by the Panchayat Department. They were not government employees till 2018, when their services were absorbed by the school education department. Therefore, they cannot claim parity and benefit at par as has been granted to Smt. Sona Sahu (Writ Appeal No. 261/2023).*

26. *Further, Clauses 4 and 5 of the absorption order dated 30.06.2018 clearly restrict the grant of any benefit to the employees of the Panchayat Department whose services have been absorbed with the school education department for the benefit of arrears prior to 01.07.2018. Clauses 4 and 5 of the absorption order dated read as under:*

“4/ शिक्षक (एल.बी.) संवर्ग को देय समस्त लाभ के लिये सेवा की गणना संविलियन दिनांक 01 जुलाई 2018 से की जायेगी।

5/ दिनांक 01 जुलाई 2018 के पूर्व की अवधि के लिये किसी भी प्रकार के एरियर्स की पात्रता नहीं होगी।”

27. *On 06.04.2019, the State Government School Education Department issued another Circular with respect to the further proceedings under the Rules of 2019, in which it has been provided that:*

“इस विभाग द्वारा जारी संविलियन निर्देश कमांक एक दिनांक 30.06.2018 की कंडिका 5 में स्पष्ट उल्लेखित है, कि दिनांक 01.07.2018 के पूर्व की अवधि के लिए किसी भी प्रकार के एरियर्स की पात्रता नहीं होगी अर्थात् पूर्व के एरियर्स स्कूल शिक्षा विभाग द्वारा देय नहीं होंगे। पूर्व में शिक्षक (पंचायत/नगरीय निकाय) संवर्ग के कर्मचारी, जो वर्तमान में शिक्षक एल.बी. संवर्ग के रूप में कार्यरत हैं, के संविलियन पूर्व की अवधि के लंबित स्वत्वों का भुगतान पात्रतानुसार संबंधित विभाग द्वारा ही किया जायेगा।”

28. *The present writ appeal has been filed by the appellants/petitioners seeking the benefit of Kramonnati under the Circular dated 10.03.2017, claiming parity with the case of Smt. Sona Sahu (Writ Appeal No. 261/2023). The petitioners were initially appointed as Shiksha Karmi under the Panchayat Department between 2008 and 2013, and their services were regularized by the order passed by the Chief Executive Officer of the respective Janpad and Zila Panchayats. They continued to serve under the*



Panchayat department till 2018, when they were absorbed into the School Education Department pursuant to the State Government policy dated 30.06.2018. Their service prior to absorption was governed by the Chhattisgarh Panchayat Shiksha Karmi Rules, 2007, and subsequent rules framed under the Panchayat Raj Adhiniyam, 1993.

29. The Circular dated 10.03.2017, on which the petitioners rely, specifically applies to Assistant Teachers under the School Education Department who have completed 10 years of service. In contrast, the petitioners' service as Shiksha Karmi under the Panchayat department cannot be treated as equivalent to service under the School Education Department. The factual distinction is material, and the principles of parity require that employees claiming equal treatment must be similarly situated in all material aspects, which is not the case here.

30. This has consistently held in WP(S) No. 208/2012, WP(S) No. 2530/2017, WP(S) No. 10335/2019, WP(S) No. 1021/2021, and WP(S) No. 3369/2021 that the services of the Shiksha Karmi governed by Panchayat rules are not entitled to pay scales or other benefits applicable to teachers of the School Education Department. The learned Single Judge rightly distinguished the case of Smt. Sona Sahu (Writ Appeal No. 261/2023), after independently examining the entitlement of the petitioners, concluded that the Circular dated 10.03.2017 does not apply to their service.

*31. The learned Single Judge after adverting and considering the entire facts and circumstances of the case, elaborately considered various judgments passed by Hon'ble Supreme Court in the case of **Rohan Vijay Nahar and Others v. The State of Maharashtra and Others** 2025 INSC 1296, **State of Punjab and Others vs. Jagjit Singh and Others**, 2017 (1) SCC 148, **Khoday Distilleries Limited (Now known as Khoday India Limited) and Others vs. Shree Mahadeshwara Shahkara Sakkare Karkhane Limited Kollegal** 2019 (4) SCC 376 and **Ravi Prakash Sahu vs. State of Chhattisgarh** order dated 08-09-2025 passed learned Single Judge of this Court*



in WPS No. 10335/2019, decided the writ petition filed by the writ appellants/petitioners in which, we do not find perversity or infirmity. The consideration of the learned Single Judge in the impugned order is well merited based on a proper appreciation of the facts and law applicable to the case.

32. Upon perusing the impugned order, we notice that the same has been rendered by the learned Single Judge with cogent and justifiable reasons. In an intra-court appeal, no interference is usually warranted unless palpable infirmities are noticed. Learned Single Judge while dismissing the writ petition by the impugned order has adverted to all the facts of the case. We do not find any fault in the impugned order.”

They further submitted that since the facts and issue involved in the present case is identical to that of **Writ Appeal No.191/2026**, this appeal may also dismissed in the same terms.

- 5 Having considered the rival submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this appeal is identical to **Writ Appeal No.191/2026**, this Court deems it appropriate not to take a view other than what has been taken in **Writ Appeal No.191/2026**.
- 6 Accordingly, the present appeal is **dismissed** in terms of the order dated **13.03.2026** passed by this Court in **Writ Appeal No.191/2026**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice