



2025:CGHC:20427



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 3130 of 2025**

1 - Alok Kumar Dubey S/o Late Shri Raghunath Prasad Dubey Aged About 44 Years Lecturer (English) (Nagriya Nikay), Government Higher Secondary School, Lawan (Now P.M. Shri Sages, Lawan) District Balodabazar-Bhatapara, Chhattisgarh, Resident Of C/o Ganraj Patel, Opposite Sacred Heart School, Balodabazar, District Balodabazar, Chhattisgarh

... Petitioner(s)**versus**

1 - The State Of Chhattisgarh Through The Chief Secretary, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

2 - The State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

3 - The State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhawan,



Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

4 - The Director Directorate Of Public Instructions, Indrawati Bhawan,
Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

5 - Deputy Director Urban Administration And Development, Indrawati
Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

6 - The Chief Municipal Officer Nagar Panchayat, Lawan, District
Balodabazar-Bhatapara, Chhattisgarh

7 - The District Education Officer Balodabazar, District Balodabazar-
Bhatapara, Chhattisgarh

8 - The Block Education Officer Balodabazar, District Balodabazar-
Bhatapara, Chhattisgarh

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s) : Shri S.B. Pandey, Advocate.

For Respondent(s) : Shri Saumitra Kesharwani, Panel Lawyer.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

05.05.2025

1. By way of this petition, the petitioner has prayed for following
reliefs:-



10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to consider the case of the petitioner and pass appropriate orders for absorption of the petitioner in the School Education Department from the date of successfully completing the probation period of two years i.e. 26.06.2022 and to grant salary at par with other absorbed Lecturers and all consequential benefits, within a stipulated time, in the interest of justice.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent No. 4-Director, Public Instructions, to consider and decide the representation (Annexure P/11) pending with respect to absorption (Samviliyan) of the petitioner in the School Education Department from the date of successfully completing the probation period of two years i.e. 26.06.2022 and to grant salary at par with the other Lecturers who have been absorbed in the School Education Department, with all consequential benefits, within a fixed time period, in the interest of justice.

10.3 Any other relief that this Hon'ble Court may deem fit may also kindly be granted in the interest of justice.

2. By the present writ petition, the petitioner is seeking a direction towards the respondent authorities for the consideration of his case for absorption as the petitioner being Lecturer (English) (Nagriya Nikay) has completed more than five years of service from the initial date of appointment, and thereafter the petitioner has been regularised, but the respondent authorities despite knowing this fact that the petitioner has completed more than three years of service from the date of regularization has not been absorbed in the School Education Department, because of which rights of the petitioner is being curtailed due to the delay on the part of the respondent authorities in submission of the documents of the petitioner before respondent no. 4.



3. Learned counsel for the petitioner submits that the petitioner is seeking absorption in accordance with law. He further submits that proposal has already been made by respondent no. 7 vide proposal dated 15.12.2022, however, due to the acts of the respondents authorities the petitioner could not be absorbed.
4. On the other hand learned counsel for the respondent/State submits that they will verify the proposal for absorption and they will pass appropriate orders for absorption of the petitioner within a period of 45 days.
5. Considering the facts and circumstances of the case, the respondent authorities are directed to consider the claim of the petitioner for absorption within a period of 45 days and to pass appropriate orders in respect of absorption considering proposal dated 15.12.2022 by which he was directed to be absorbed.
6. With this observation and direction, the writ petition stands disposed of.

Sd/-

(Bibhu Datta Guru)
Judge