

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 9152 of 2023**

1. Tripti Choudhary (Tripti Malewar) W/o Arun Malewar Aged About 62 Years Presently Posting Bodri Primary School Block Bilha R/o 16/358 Behind Shiv Mandir Pradeep Coaching Center Vidya Nagar Bilaspur (C.G.)
2. Sunil Pandey S/o Dwarika Prasad Pandey Aged About 60 Years Presently Posting Middle School Nigarband Block Takhatpur R/o Near Bade Mandir Takhatpur District Bilaspur (C.G.)
3. Anita Jain W/o Dharamchand Jain Aged About 55 Years Presently Posting Middle School Belsari Block Takhatpur R/o 123 Ward No. 14 Belsari Post Takhatpur District Bilaspur (C.G.)
4. Chandrashekhar Pandey S/o Vishnu Prasad Pandey Aged About 58 Years Presently Posting Middle School Kopra Block Takhatpur, R/o Shankar Nagar Village Jaroundha Takhatpur District Bilaspur (C.G.)
5. Aparna Choudhary D/o B.D. Choudhary Aged About 57 Years Lastly Posting Middle School Sakri Block Takhatpur Bilaspur, R/o A-182 Nature City Uslapur District Bilaspur (C.G.)

---- Petitioners**Versus**

- 1.State of Chhattisgarh Through Secretary Department of School Education D.K.S. Bhawan, Mantralaya District Raipur (C.G.)
- 2.District Education Officer District Bilaspur (C.G.)
- 3.Block Education Officer, Takhatpur District Bilaspur (C.G.)
- 4.Block Education Officer Bilha District Bilaspur (C.G.)

---- Respondents**(Cause-title, as taken from CIS System)**

For Petitioner : Ms. Anju Ahuja, Advocate

For State/respondents : Mr. Anmol Sharma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board**

05.01.2024

Heard

1. Learned counsel appearing for the petitioner submits that the petitioners were appointed as Assistant Teacher in the year 1995, they have completed their probation period after two years from their appointment. During their probation period, the petitioners were not given allowances like D.A., H.R.A. Annual Increment and seniority is also affected. She further submits that the case of the petitioners are squarely covered with the judgment passed by this Court in WP No.1890/2003 (Chhattisgarh Shikchak Sangh Vs. State of Chhattisgarhand and Others) judgment dated 06.04.2005 i.e. Annexure P/2 and WPS No.4926/2023 (Sitaram Sahu Vs. State of Chhattisgarh and Others) judgment dated 08.09.2006 i.e. Annexure P/4. She further submits that the petitioners are continuously making their representation for grant of above mentioned benefits but not decided by the respondent/competent authority.
2. Learned State Counsel submits that the petition has been filed by the petitioner after a lapse of 17 years, therefore, on this ground only they are not entitled to get any relief.
3. Considering the submissions made by both the counsels, it will be appropriate to dispose of the petition, at this state, itself giving liberty to the petitioners to make fresh representation before the respondents raising all grounds which they raised in this writ petition along with the copy of the petition within “**three weeks**” from today

and on submission of such fresh representation the respondent/competent authority shall also consider and decide the same in accordance with the relevant rules and law and further taking into consideration of the judgment passed by this Court as referred earlier herein within an outer limit of 60 from the submission of such fresh representation.

4. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(Arvind Singh Chandel)
Judge