



2025:CGHC:57112



2025:CGHC:57112

AFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 11009 of 2025

**Reserved on : 11.11.2025, 12.11.2025, 13.11.2025, 14.11.2025,
17.11.2025, 18.11.2025, 19.11.2025, 20.11.2025, 21.11.2025, 24.11.2025**

Pronounced on : 24.11.2025

- Smt. Abha Namdeo & Others

--- Petitioner(s)

versus

- The State Of Chhattisgarh & Others

--- Respondent(s)

**WPS/13258/2025, WPS/13244/2025, WPS/13259/2025,
WPS/13240/2025, WPS/13238/2025, WPS/13263/2025,
WPS/13242/2025, WPS/13264/2025, WPS/13237/2025,
WPS/13235/2025, WPS/13236/2025, WPS/13230/2025,
WPS/13231/2025, WPS/13232/2025, WPS/13195/2025,
WPS/13214/2025, WPS/13191/2025, WPS/13179/2025,
WPS/13171/2025, WPS/13181/2025, WPS/13142/2025,
WPS/13183/2025, WPS/13156/2025, WPS/13170/2025,
WPS/13172/2025, WPS/13218/2025, WPS/13180/2025,
WPS/13208/2025, WPS/13182/2025, WPS/13211/2025,
WPS/13185/2025, WPS/13210/2025, WPS/13217/2025,
WPS/12924/2025, WPS/13044/2025, WPS/3410/2025,
WPS/11986/2025, WPS/12471/2025, WPS/12467/2025,
WPS/10593/2025, WPS/13054/2025, WPS/3734/2025,
WPS/3795/2025, WPS/12392/2025, WPS/3733/2025,
WPS/3787/2025, WPS/12672/2025, WPS/9035/2025,
WPS/3732/2025, WPS/12245/2025, WPS/9018/2025,
WPS/11979/2025, WPS/3728/2025, WPS/13015/2025,
WPS/12807/2025, WPS/12886/2025, WPS/12910/2025,
WPS/12802/2025, WPS/12953/2025, WPS/13021/2025,
WPS/12863/2025, WPS/12782/2025, WPS/12991/2025,
WPS/12945/2025, WPS/12947/2025, WPS/12606/2025,**



WPS/13018/2025, WPS/12955/2025, WPS/12799/2025,
WPS/12874/2025, WPS/12408/2025, WPS/12832/2025,
WPS/12800/2025, WPS/12882/2025, WPS/12877/2025,
WPS/13129/2025, WPS/12913/2025, WPS/12990/2025,
WPS/12976/2025, WPS/13002/2025, WPS/13066/2025,
WPS/13088/2025, WPS/12828/2025, WPS/13039/2025,
WPS/12967/2025, WPS/13029/2025, WPS/13058/2025,
WPS/12942/2025, WPS/12803/2025, WPS/13042/2025,
WPS/13124/2025, WPS/13056/2025, WPS/13049/2025,
WPS/13028/2025, WPS/12820/2025, WPS/13154/2025,
WPS/13149/2025, WPS/13141/2025, WPS/13128/2025,
WPS/13109/2025, WPS/13160/2025, WPS/13108/2025,
WPS/13134/2025, WPS/13155/2025, WPS/13131/2025,
WPS/12881/2025, WPS/13157/2025, WPS/13127/2025,
WPS/13144/2025, WPS/13120/2025, WPS/13161/2025,
WPS/13146/2025, WPS/13092/2025, WPS/13071/2025,
WPS/13043/2025, WPS/13025/2025, WPS/13032/2025,
WPS/13031/2025, WPS/13030/2025, WPS/11407/2025,
WPS/11378/2025, WPS/11373/2025, WPS/11197/2025,
WPS/11086/2025, WPS/11072/2025, WPS/10910/2025,
WPS/10639/2025, WPS/10666/2025, WPS/10662/2025,
WPS/10570/2025, WPS/6082/2025, WPS/4333/2025,
WPS/8829/2025, WPS/7912/2025, WPS/9243/2025,
WPS/3929/2025, WPS/9134/2025, WPS/4901/2025,
WPS/3923/2025, WPS/4218/2025, WPS/4852/2025,
WPS/9030/2025, WPS/8693/2025, WPS/9016/2025,
WPS/8596/2025, WPS/8287/2025, WPS/4322/2025,
WPS/4324/2025, WPS/6872/2025, WPS/9428/2025,
WPS/9484/2025, WPS/8757/2025, WPS/9186/2025,
WPS/4207/2025, WPS/8526/2025, WPS/9013/2025,
WPS/7941/2025, WPS/4125/2025, WPS/6281/2025,
WPS/4104/2025, WPS/8613/2025, WPS/4332/2025,
WPS/4123/2025, WPS/8855/2025, WPS/9541/2025,
WPS/6991/2025, WPS/8019/2025, WPS/9425/2025,
WPS/9625/2025, WPS/3911/2025, WPS/9242/2025,
WPS/4161/2025, WPS/4859/2025, WPS/9452/2025,
WPS/3977/2025, WPS/8849/2025, WPS/8666/2025,
WPS/6792/2025, WPS/4222/2025, WPS/4000/2025,
WPS/4320/2025, WPS/8454/2025, WPS/4968/2025,
WPS/4021/2025, WPS/9481/2025, WPS/4107/2025,
WPS/7843/2025, WPS/6898/2025, WPS/9115/2025,
WPS/8767/2025, WPS/4073/2025, WPS/4898/2025,
WPS/8668/2025, WPS/4211/2025, WPS/4900/2025,
WPS/9529/2025, WPS/4007/2025, WPS/9534/2025,
WPS/9249/2025, WPS/8779/2025, WPS/9238/2025,
WPS/9409/2025, WPS/8014/2025, WPS/9241/2025,



WPS/4251/2025, WPS/6756/2025, WPS/9179/2025,
WPS/9246/2025, WPS/3925/2025, WPS/9213/2025,
WPS/8881/2025, WPS/8517/2025, WPS/8640/2025,
WPS/9424/2025, WPS/4114/2025, WPS/4326/2025,
WPS/3934/2025, WPS/8827/2025, WPS/4266/2025,
WPS/6194/2025, WPS/6407/2025, WPS/4315/2025,
WPS/9086/2025, WPS/9038/2025, WPS/8240/2025,
WPS/5202/2025, WPS/9088/2025, WPS/8158/2025,
WPS/3926/2025, WPS/8651/2025, WPS/4849/2025,
WPS/3912/2025, WPS/4216/2025, WPS/8680/2025,
WPS/9417/2025, WPS/5699/2025, WPS/4189/2025,
WPS/4172/2025, WPS/12411/2025, WPS/4232/2025,
WPS/4188/2025, WPS/3497/2025, WPS/8990/2025,
WPS/4014/2025, WPS/4308/2025, WPS/6712/2025,
WPS/8678/2025, WPS/6410/2025, WPS/7850/2025,
WPS/9178/2025, WPS/6160/2025, WPS/8642/2025,
WPS/8628/2025, WPS/9084/2025, WPS/5985/2025,
WPS/9012/2025, WPS/8259/2025, WPS/9034/2025,
WPS/3919/2025, WPS/8656/2025, WPS/4103/2025,
WPS/4028/2025, WPS/9024/2025, WPS/6355/2025,
WPS/4184/2025, WPS/8847/2025, WPS/9045/2025,
WPS/9093/2025, WPS/9007/2025, WPS/9493/2025,
WPS/9439/2025, WPS/8877/2025, WPS/8862/2025,
WPS/4111/2025, WPS/4988/2025, WPS/8797/2025,
WPS/8511/2025, WPS/9388/2025, WPS/4267/2025,
WPS/5283/2025, WPS/9091/2025, WPS/9112/2025,
WPS/8859/2025, WPS/8234/2025, WPS/9537/2025,
WPS/8412/2025, WPS/3894/2025, WPS/9728/2025,
WPS/8489/2025, WPS/9342/2025, WPS/9300/2025,
WPS/4785/2025, WPS/4301/2025, WPS/8802/2025,
WPS/6985/2025, WPS/8773/2025, WPS/6106/2025,
WPS/8856/2025, WPS/3861/2025, WPS/3917/2025,
WPS/9483/2025, WPS/8669/2025, WPS/8769/2025,
WPS/4126/2025, WPS/8994/2025, WPS/6627/2025,
WPS/8306/2025, WPS/6768/2025, WPS/8017/2025,
WPS/8450/2025, WPS/9274/2025, WPS/9121/2025,
WPS/9198/2025, WPS/4338/2025, WPS/3916/2025,
WPS/3984/2025, WPS/9260/2025, WPS/4935/2025,
WPS/12834/2025, WPS/12821/2025, WPS/12454/2025,
WPS/12845/2025, WPS/12776/2025, WPS/12773/2025,
WPS/12829/2025, WPS/12762/2025, WPS/13013/2025,
WPS/12792/2025, WPS/12962/2025, WPS/12946/2025,
WPS/12948/2025, WPS/12950/2025, WPS/11653/2025,
WPS/12756/2025, WPS/12742/2025, WPS/12733/2025,
WPS/12692/2025, WPS/12689/2025, WPS/12680/2025,
WPS/12532/2025, WPS/12130/2025, WPS/12604/2025,



WPS/12659/2025, WPS/12602/2025, WPS/12662/2025,
WPS/8133/2025, WPS/10125/2025, WPS/12636/2025,
WPS/12530/2025, WPS/12513/2025, WPS/12598/2025,
WPS/12639/2025, WPS/12244/2025, WPS/12611/2025,
WPS/12550/2025, WPS/10164/2025, WPS/12473/2025,
WPS/12548/2025, WPS/12533/2025, WPS/10208/2025,
WPS/12552/2025, WPS/12580/2025, WPS/12616/2025,
WPS/8100/2025, WPS/12650/2025, WPS/12551/2025,
WPS/10367/2025, WPS/12643/2025, WPS/12555/2025,
WPS/10397/2025, WPS/12590/2025, WPS/12610/2025,
WPS/12624/2025, WPS/12603/2025, WPS/11880/2025,
WPS/11899/2025, WPS/11900/2025, WPS/11897/2025,
WPS/11907/2025, WPS/11884/2025, WPS/11776/2025,
WPS/11793/2025, WPS/11792/2025, WPS/11828/2025,
WPS/11785/2025, WPS/11784/2025, WPS/11871/2025,
WPS/4724/2025, WPS/4705/2025, WPS/4696/2025,
WPS/4585/2025, WPS/4577/2025, WPS/4571/2025,
WPS/11611/2025, WPS/11634/2025, WPS/11607/2025,
WPS/11531/2025, WPS/11624/2025, WPS/11770/2025,
WPS/11813/2025, WPS/11635/2025, WPS/11530/2025,
WPS/11838/2025, WPS/11616/2025, WPS/11586/2025,
WPS/11633/2025, WPS/11630/2025, WPS/11749/2025,
WPS/11763/2025, WPS/11604/2025, WPS/11623/2025,
WPS/11571/2025, WPS/11601/2025, WPS/10937/2025,
WPS/11790/2025, WPS/11590/2025, WPS/11585/2025,
WPS/11563/2025, WPS/11462/2025, WPS/11354/2025,
WPS/11436/2025, WPS/11337/2025, WPS/11377/2025,
WPS/9229/2025, WPS/4038/2025, WPS/4209/2025,
WPS/9076/2025, WPS/4201/2025, WPS/9553/2025,
WPS/3695/2025, WPS/8782/2025, WPS/8690/2025,
WPS/6261/2025, WPS/8647/2025, WPS/3908/2025,
WPS/3930/2025, WPS/8691/2025, WPS/8867/2025,
WPS/8839/2025, WPS/8822/2025, WPS/8887/2025,
WPS/3921/2025, WPS/9628/2025, WPS/6673/2025,
WPS/9756/2025, WPS/8088/2025, WPS/4877/2025,
WPS/8878/2025, WPS/8467/2025, WPS/8112/2025,
WPS/9096/2025, WPS/3922/2025, WPS/9159/2025,
WPS/8759/2025, WPS/9341/2025, WPS/3918/2025,
WPS/4861/2025, WPS/9390/2025, WPS/9014/2025,
WPS/4894/2025, WPS/4221/2025, WPS/8430/2025,
WPS/8606/2025, WPS/8740/2025, WPS/4087/2025,
WPS/9420/2025, WPS/4304/2025, WPS/8366/2025,
WPS/6079/2025, WPS/5014/2025, WPS/10514/2025,
WPS/8317/2025, WPS/8614/2025, WPS/9546/2025,
WPS/8364/2025, WPS/9377/2025, WPS/3928/2025,
WPS/8528/2025, WPS/8332/2025, WPS/6845/2025,



WPS/6876/2025, WPS/8852/2025, WPS/4213/2025,
WPS/11735/2025, WPS/4159/2025, WPS/8828/2025,
WPS/4010/2025, WPS/8891/2025, WPS/8368/2025,
WPS/8819/2025, WPS/8350/2025, WPS/9102/2025,
WPS/8569/2025, WPS/8256/2025, WPS/4003/2025,
WPS/4086/2025, WPS/8988/2025, WPS/8294/2025,
WPS/4062/2025, WPS/8807/2025, WPS/8340/2025,
WPS/9453/2025, WPS/9620/2025, WPS/4387/2025,
WPS/4139/2025, WPS/6878/2025, WPS/4842/2025,
WPS/8479/2025, WPS/4229/2025, WPS/4004/2025,
WPS/8869/2025, WPS/5168/2025, WPS/4812/2025,
WPS/8846/2025, WPS/8702/2025, WPS/8330/2025,
WPS/4027/2025, WPS/6449/2025, WPS/8339/2025,
WPS/9530/2025, WPS/10469/2025, WPS/10456/2025,
WPS/10419/2025, WPS/10403/2025, WPS/10389/2025,
WPS/10386/2025, WPS/10329/2025, WPS/10290/2025,
WPS/10270/2025, WPS/10260/2025, WPS/10249/2025,
WPS/10243/2025, WPS/10227/2025, WPS/10203/2025,
WPS/10196/2025, WPS/10190/2025, WPS/10189/2025,
WPS/10185/2025, WPS/10179/2025, WPS/10170/2025,
WPS/10169/2025, WPS/10165/2025, WPS/10147/2025,
WPS/9450/2025, WPS/5229/2025, WPS/3914/2025,
WPS/8608/2025, WPS/9307/2025, WPS/8557/2025,
WPS/7006/2025, WPS/9451/2025, WPS/6252/2025,
WPS/5017/2025, WPS/10555/2025, WPS/8801/2025,
WPS/9351/2025, WPS/9020/2025, WPS/10090/2025,
WPS/10065/2025, WPS/10058/2025, WPS/9993/2025,
WPS/9985/2025, WPS/10440/2025, WPS/9962/2025,
WPS/9960/2025, WPS/9952/2025, WPS/9943/2025,
WPS/9940/2025, WPS/9937/2025, WPS/9923/2025,
WPS/9918/2025, WPS/9913/2025, WPS/10665/2025,
WPS/11888/2025, WPS/10521/2025, WPS/12037/2025,
WPS/10980/2025, WPS/11109/2025, WPS/11421/2025,
WPS/12305/2025, WPS/11431/2025, WPS/10771/2025,
WPS/10645/2025, WPS/10894/2025, WPS/12008/2025,
WPS/11225/2025, WPS/12006/2025, WPS/11348/2025,
WPS/9801/2025, WPS/11029/2025, WPS/11338/2025,
WPS/11315/2025, WPS/11568/2025, WPS/11276/2025,
WPS/12065/2025, WPS/10898/2025, WPS/10805/2025,
WPS/11915/2025, WPS/9974/2025, WPS/11406/2025,
WPS/12162/2025, WPS/12313/2025, WPS/11835/2025,
WPS/10400/2025, WPS/11279/2025, WPS/11031/2025,
WPS/11127/2025, WPS/12155/2025, WPS/10957/2025,
WPS/11901/2025, WPS/11741/2025, WPS/11252/2025,
WPS/10809/2025, WPS/9953/2025, WPS/12377/2025,
WPS/10765/2025, WPS/11498/2025, WPS/10807/2025,



WPS/11311/2025, WPS/10808/2025, WPS/10404/2025,
WPS/10694/2025, WPS/11690/2025, WPS/9870/2025,
WPS/9872/2025, WPS/11107/2025, WPS/10707/2025,
WPS/11313/2025, WPS/11227/2025, WPS/11500/2025,
WPS/10979/2025, WPS/10428/2025, WPS/11868/2025,
WPS/9998/2025, WPS/10106/2025, WPS/11567/2025,
WPS/11504/2025, WPS/11108/2025, WPS/10060/2025,
WPS/10289/2025, WPS/11250/2025, WPS/12174/2025,
WPS/10815/2025, WPS/11713/2025, WPS/10027/2025,
WPS/12317/2025, WPS/11747/2025, WPS/11302/2025,
WPS/11342/2025, WPS/11905/2025, WPS/10431/2025,
WPS/11539/2025, WPS/11023/2025, WPS/11681/2025,
WPS/10392/2025, WPS/12270/2025, WPS/11131/2025,
WPS/9839/2025, WPS/12078/2025, WPS/12049/2025,
WPS/11374/2025, WPS/11005/2025, WPS/12152/2025,
WPS/12034/2025, WPS/11059/2025, WPS/12303/2025,
WPS/11925/2025, WPS/11013/2025, WPS/10743/2025,
WPS/10736/2025, WPS/10368/2025, WPS/11286/2025,
WPS/11035/2025, WPS/10761/2025, WPS/11039/2025,
WPS/10104/2025, WPS/11025/2025, WPS/8771/2025,
WPS/8718/2025, WPS/8145/2025, WPS/4960/2025,
WPS/6783/2025, WPS/4949/2025, WPS/9232/2025,
WPS/9025/2025, WPS/5028/2025, WPS/4822/2025,
WPS/9272/2025, WPS/3979/2025, WPS/6928/2025,
WPS/9415/2025, WPS/4844/2025, WPS/8615/2025,
WPS/4804/2025, WPS/8783/2025, WPS/8293/2025,
WPS/12311/2025, WPS/10976/2025, WPS/10610/2025,
WPS/11392/2025, WPS/11336/2025, WPS/12312/2025,
WPS/11435/2025, WPS/12114/2025, WPS/10433/2025,
WPS/11130/2025, WPS/11830/2025, WPS/12169/2025,
WPS/11308/2025, WPS/10421/2025, WPS/10478/2025,
WPS/10788/2025, WPS/12149/2025, WPS/11507/2025,
WPS/11138/2025, WPS/10625/2025, WPS/11512/2025,
WPS/11333/2025, WPS/11319/2025, WPS/11977/2025,
WPS/11343/2025, WPS/12338/2025, WPS/10436/2025,
WPS/12157/2025, WPS/12290/2025, WPS/11010/2025,
WPS/10959/2025, WPS/11111/2025, WPS/11732/2025,
WPS/11703/2025, WPS/12077/2025, WPS/10110/2025,
WPS/9984/2025, WPS/11797/2025, WPS/11036/2025,
WPS/11488/2025, WPS/10205/2025, WPS/11817/2025,
WPS/12213/2025, WPS/12074/2025, WPS/11449/2025,
WPS/10141/2025, WPS/11951/2025, WPS/12080/2025,
WPS/11326/2025, WPS/11930/2025, WPS/12153/2025,
WPS/11920/2025, WPS/12350/2025, WPS/10558/2025,
WPS/5917/2025, WPS/11006/2025, WPS/11016/2025,
WPS/11511/2025, WPS/12147/2025, WPS/11376/2025,



WPS/10954/2025, WPS/12029/2025, WPS/12325/2025,
WPS/10810/2025, WPS/11834/2025, WPS/11714/2025,
WPS/12346/2025, WPS/12015/2025, WPS/11273/2025,
WPS/12177/2025, WPS/11527/2025, WPS/12028/2025,
WPS/9808/2025, WPS/11133/2025, WPS/10148/2025,
WPS/11112/2025, WPS/11309/2025, WPS/12212/2025,
WPS/11310/2025, WPS/10750/2025, WPS/11983/2025,
WPS/9841/2025, WPS/12195/2025, WPS/10708/2025,
WPS/10985/2025, WPS/10933/2025, WPS/10551/2025,
WPS/10776/2025, WPS/11625/2025, WPS/11451/2025,
WPS/11432/2025, WPS/12366/2025, WPS/10909/2025,
WPS/11091/2025, WPS/12119/2025, WPS/11815/2025,
WPS/12253/2025, WPS/10719/2025, WPS/10427/2025,
WPS/11055/2025, WPS/10445/2025, WPS/12216/2025,
WPS/11110/2025, WPS/10947/2025, WPS/11991/2025,
WPS/10682/2025, WPS/10922/2025, WPS/12197/2025,
WPS/11058/2025, WPS/10749/2025, WPS/11982/2025,
WPS/11383/2025, WPS/12200/2025, WPS/10812/2025,
WPS/11893/2025, WPS/12083/2025, WPS/11210/2025,
WPS/11862/2025, WPS/9571/2025, WPS/10816/2025,
WPS/10780/2025, WPS/10466/2025, WPS/11032/2025,
WPS/11903/2025, WPS/10430/2025, WPS/10758/2025,
WPS/11258/2025, WPS/12189/2025, WPS/10784/2025,
WPS/10907/2025, WPS/10333/2025, WPS/11863/2025,
WPS/12275/2025, WPS/10753/2025, WPS/12033/2025,
WPS/11063/2025, WPS/12103/2025, WPS/11270/2025,
WPS/10071/2025, WPS/11852/2025, WPS/10994/2025,
WPS/10460/2025, WPS/11572/2025, WPS/11416/2025,
WPS/10706/2025, WPS/10914/2025, WPS/11064/2025,
WPS/12293/2025, WPS/10446/2025, WPS/11937/2025,
WPS/11117/2025, WPS/12331/2025, WPS/11085/2025,
WPS/9827/2025, WPS/10458/2025, WPS/11332/2025,
WPS/10874/2025, WPS/10055/2025, WPS/11730/2025,
WPS/10448/2025, WPS/11304/2025, WPS/10299/2025,
WPS/9994/2025, WPS/12168/2025, WPS/11824/2025,
WPS/10734/2025, WPS/11118/2025, WPS/11121/2025,
WPS/11391/2025, WPS/11490/2025, WPS/12219/2025,
WPS/10963/2025, WPS/10992/2025, WPS/11242/2025,
WPS/11022/2025, WPS/10740/2025, WPS/10684/2025,
WPS/10548/2025, WPS/11369/2025, WPS/11933/2025,
WPS/10912/2025, WPS/12427/2025, WPS/11341/2025,
WPS/12113/2025, WPS/10799/2025, WPS/11976/2025,
WPS/10718/2025, WPS/10763/2025, WPS/10450/2025,
WPS/11014/2025, WPS/11532/2025, WPS/11324/2025,
WPS/11367/2025, WPS/10523/2025, WPS/12041/2025,
WPS/11622/2025, WPS/10752/2025, WPS/12190/2025,



WPS/11940/2025, WPS/10737/2025, WPS/9843/2025,
WPS/11984/2025, WPS/11386/2025, WPS/11819/2025,
WPS/11569/2025, WPS/12024/2025, WPS/11346/2025,
WPS/11606/2025, WPS/11102/2025, WPS/11340/2025,
WPS/11026/2025, WPS/12203/2025, WPS/12182/2025,
WPS/12115/2025, WPS/10783/2025, WPS/11294/2025,
WPS/10741/2025, WPS/11106/2025, WPS/11334/2025,
WPS/10277/2025, WPS/12061/2025, WPS/11339/2025,
WPS/10730/2025, WPS/10739/2025, WPS/11731/2025,
WPS/10319/2025, WPS/11256/2025, WPS/12018/2025,
WPS/9961/2025, WPS/10944/2025, WPS/11134/2025,
WPS/11104/2025, WPS/10622/2025, WPS/10396/2025,
WPS/10399/2025, WPS/10376/2025, WPS/6225/2025,
WPS/11245/2025, WPS/11536/2025, WPS/11491/2025,
WPS/10670/2025, WPS/11375/2025, WPS/10015/2025,
WPS/12142/2025, WPS/12406/2025, WPS/11418/2025,
WPS/12422/2025, WPS/12246/2025, WPS/10401/2025,
WPS/11193/2025, WPS/11409/2025, WPS/11483/2025,
WPS/12139/2025, WPS/10709/2025, WPS/12134/2025,
WPS/12368/2025, WPS/10486/2025, WPS/11320/2025,
WPS/11132/2025, WPS/11236/2025, WPS/10983/2025,
WPS/10420/2025, WPS/11939/2025, WPS/11124/2025,
WPS/11936/2025, WPS/10757/2025, WPS/12207/2025,
WPS/10928/2025, WPS/11335/2025, WPS/11352/2025,
WPS/10138/2025, WPS/12318/2025, WPS/11935/2025,
WPS/10698/2025, WPS/10733/2025, WPS/10690/2025,
WPS/11938/2025, WPS/9609/2025, WPS/11330/2025,
WPS/11045/2025, WPS/11305/2025, WPS/12020/2025,
WPS/11372/2025, WPS/11114/2025, WPS/10422/2025,
WPS/11331/2025, WPS/11543/2025, WPS/11000/2025,
WPS/11448/2025, WPS/11116/2025, WPS/11042/2025,
WPS/12150/2025, WPS/12014/2025, WPS/10964/2025,
WPS/12099/2025, WPS/12272/2025, WPS/10993/2025,
WPS/11321/2025, WPS/11048/2025, WPS/11520/2025,
WPS/10441/2025, WPS/11910/2025, WPS/11411/2025,
WPS/10932/2025, WPS/10497/2025, WPS/11345/2025,
WPS/11257/2025, WPS/11534/2025, WPS/11027/2025,
WPS/11303/2025, WPS/11595/2025, WPS/9822/2025,
WPS/9820/2025, WPS/9807/2025, WPS/9780/2025,
WPS/9690/2025, WPS/10331/2025, WPS/10292/2025,
WPS/10282/2025, WPS/10276/2025, WPS/9665/2025,
WPS/8404/2025, WPS/6397/2025, WPS/2815/2019,
WPS/11422/2025, WPS/11151/2025, WPS/11177/2025,
WPS/11677/2025, WPS/11154/2025, WPS/11208/2025,
WPS/11150/2025, WPS/11656/2025, WPS/11649/2025,
WPS/11663/2025, WPS/11153/2025, WPS/11671/2025,



WPS/11216/2025, WPS/11699/2025, WPS/11219/2025,
WPS/11648/2025, WPS/11688/2025, WPS/11160/2025,
WPS/11212/2025, WPS/11218/2025, WPS/11147/2025,
WPS/10794/2025, WPS/11661/2025, WPS/11670/2025,
WPS/11082/2025, WPS/11081/2025, WPS/11078/2025,
WPS/11077/2025, WPS/11057/2025, WPS/11046/2025,
WPS/10943/2025, WPS/10891/2025, WPS/11247/2025,
WPS/11224/2025, WPS/10792/2025, WPS/10923/2025,
WPS/11062/2025, WPS/11356/2025, WPS/11231/2025,
WPS/11359/2025, WPS/11251/2025, WPS/11361/2025,
WPS/11298/2025, WPS/10803/2025, WPS/10762/2025,
WPS/11162/2025, WPS/11178/2025, WPS/11120/2025,
WPS/11164/2025, WPS/11169/2025, WPS/11196/2025,
WPS/11183/2025, WPS/11155/2025, WPS/11166/2025,
WPS/10732/2025, WPS/11152/2025, WPS/11149/2025,
WPS/11191/2025, WPS/11173/2025, WPS/11172/2025,
WPS/11217/2025, WPS/11186/2025, WPS/11184/2025,
WPS/11168/2025, WPS/11187/2025, WPS/11146/2025,
WPS/11232/2025, WPS/11158/2025, WPS/11223/2025,
WPS/11181/2025, WPS/11159/2025, WPS/11228/2025,
WPS/11136/2025, WPS/11205/2025, WPS/11144/2025,
WPS/11179/2025, WPS/11194/2025, WPS/11129/2025,
WPS/11260/2025, WPS/11246/2025, WPS/11192/2025,
WPS/11185/2025, WPS/11253/2025, WPS/11167/2025,
WPS/11262/2025, WPS/11195/2025, WPS/11068/2025,
WPS/11163/2025, WPS/10772/2025, WPS/11148/2025,
WPS/10899/2025, WPS/10996/2025, WPS/10756/2025,
WPS/10744/2025, WPS/10779/2025, WPS/10786/2025,
WPS/10735/2025, WPS/10731/2025, WPS/10766/2025,
WPS/10777/2025, WPS/10751/2025, WPS/11240/2025,
WPS/10724/2025, WPS/11254/2025, WPS/10748/2025,
WPS/10704/2025, WPS/10656/2025, WPS/11662/2025,
WPS/10713/2025, WPS/10854/2025, WPS/10668/2025,
WPS/10637/2025, WPS/10832/2025, WPS/10689/2025,
WPS/10653/2025, WPS/10654/2025, WPS/10677/2025,
WPS/10671/2025, WPS/10686/2025, WPS/10702/2025,
WPS/10703/2025, WPS/10838/2025, WPS/10650/2025,
WPS/10657/2025, WPS/10842/2025, WPS/10680/2025,
WPS/10660/2025, WPS/10661/2025, WPS/10700/2025,
WPS/10759/2025, WPS/10659/2025, WPS/10672/2025,
WPS/11676/2025, WPS/10683/2025, WPS/10655/2025,
WPS/10720/2025, WPS/10673/2025, WPS/10663/2025,
WPS/10641/2025, WPS/11680/2025, WPS/10651/2025,
WPS/10614/2025, WPS/10413/2025, WPS/10214/2025,
WPS/11140/2025, WPS/11050/2025, WPS/11221/2025,
WPS/11204/2025, WPS/11002/2025, WPS/10122/2025,



WPS/10112/2025, WPS/10107/2025, WPS/10097/2025,
WPS/10094/2025, WPS/10336/2025, WPS/10081/2025,
WPS/10077/2025, WPS/9944/2025, WPS/10989/2025,
WPS/10986/2025, WPS/10958/2025, WPS/10982/2025,
WPS/10978/2025, WPS/10930/2025, WPS/10987/2025,
WPS/10800/2025, WPS/10613/2025

For Petitioner(s)	:	Mr. Manoj Pranjpe, Senior Advocate alongwith Ms. Apoorva Ghore , Mr. Paraga Kotecha, Mr. Mateen Siddiqui with Mr. Ghanshyam Kashyap, Mr. Sachin Nidhi, Mr. Anjay Mishra, Mr. Govind Dewangan, Mr. Rupendra Dewangan, Mr. Rajesh Kumar Singh Chauhan, Mr. Prasoon Agrawal, Mr. Shalvik Tiwari, Mr. Manish Kumar Sahu on behalf of Mr. Awadh Tripathi, Mr. Aniruddha Shrivastava alongwith Ms. Astha Patel, Mr. Rajendra Patel, Mr. Khilendra Sahu, Mr. Aditya Sharma, Mr. Vivek Sahu & Ms. Sharda Prasad alongwith Mr. Rahul Mishra, Mr. Nikhil Wadhwani, Mr. Ishan Verma, Mr. Anmol Sharma, Ms. Ankita Shukla, Mr. Amitesh Kumar Pandey, Mr. Nelson Panna with Mr. Ashutosh Mishra, Ms. Shalini Kashyap, Ms. Rameshwari Kumari, Mr. Rudra Pratap Dubey, Ms. Sweksha Sharma, Mr. Mukesh Kauhsik with Mr. Kaushal Yadav, Ms. Subha Shrivastava, Mr. Vikas Shrivastava, Mr. Siddharth Pandey with Mr. Ujjawal Agrawal, Mr. R.K. Verma with Mr. Dilesh Kumar Kuree, Mr. Palash Agrawal, Mr. Devashish Tiwari, Mr. Deepak Kaushik, Mr. Dinesh Yadav, Mr. Shiv Sewak Manjhi, Ms. Shraddha Mishra, Mr. Devesh G. Kela, Mr. Sameer Behar, Mr. Nishchay Thakur, Mr. Ishan Bhaduri, Mr. Manoj Kumar Yadav, Mr. K.P. Sahu, Mr. J.K. Gupta, Ms. Palak Dwivedi alongwith Mr. Shubham Dwivedi, Mr. Suresh Tandan, Ms. Ruchi Nagar, Mr. Shubham Bajpayee, Mr. Pritendra Chauhan, Mr. Shrikant Kaushik, Advocates
For State	:	Mr. Y.S. Thakur, Addl. Advocate General, Mr. Sabyasachi Choubey, Panel Lawyer
For Respondents	:	Mr. Pankaj Agrawal alongwith Ms. Preeti Yadav, Mr. Gary Mukhopadhyay, Mr. Animesh Tiwari alongwith Mr. Yogendra Pandey, Ms. Shriyadeep Gupta, Mr. Bharat Sharma, Mr. Vedant Shadangi, Mr. Pranjal Shukla, Mr. Shikhar Shukla, Ms. Mamta Mahilange on behalf of Dr. Sudeep



Agrawal, Mr. Rudra Pratap Dubey, Mr. Ravitosh Kale on behalf of Mr. Rahul Tamaskar, Mr. Suyash Dhar Badgaiyan, Ms. Seema Mishra & Mr. Vishal Sahu on behalf of Mr. Jitendra Shrivastava, Mr. Pramod Shrivastava, Ms. Madhunisha Singh with Ms. Aditi Joshi, Ms. Priyanka Rai, Ms. M. Asha, Mr. Shalin Singh Baghel, Advocates

Hon'ble Shri Justice Narendra Kumar Vyas
(CAV Order)

1. Since common question of law and facts are involved in the bunch of these 1188 writ petitions, they are heard analogously and are being disposed of by this common order. WP(S) No. 11009/2025 Smt. Abha Namdeo vs. State of Chhattisgarh & others is being treated as lead case.

Prayers sought by the petitioners:

2. The petitioners have filed these petitions claiming grant of benefits of 1st and 2nd kramonnati on completion of 10 years service in light of order passed by the Hon'ble Division Bench of this Court in case of Smt. Sona Sahu vs. State of Chhattisgarh & others in Writ Appeal No. 261/2023 decided on 28.02.2024. The petitioners have also prayed for grant of consequential benefits to them from the date of completion of 10 years of service till the actual payment is made towards benefit of kramonnati. The petitioners have also prayed that this Court be pleased to pass an order holding that their cases are squarely covered from the judgment passed by the Hon'ble Division Bench in case of Smt. Sona Sahu vs. State of Chhattisgarh & others in Writ Appeal No. 261/2023 decided on 28.02.2024. It has also



been prayed that denial of kramonnati is discriminative in nature and violative of Articles 14 and 16 of the Constitution of India.

Brief facts of the case:

(a) The petitioners who are initially appointed as Shiksha Karmi Grade-III, II, I by the respective Panchayat as per Madhya Pradesh/Chhattisgarh Panchayat Shiksha Karmi (Bharti tatha Sewa ki Sharte) Niyam, 1997 (hereinafter referred to as “Rules of 1997”), Chhattisgarh Panchayat Shiksha Karmi (Recruitment and Condition of Service) Rules, 2007 (hereinafter referred to as “Rules of 2007”) and Chhattisgarh Shiksha Panchayat Samvarg (Bharti tatha Sewa ki Sharte) Niyam, 2012 (hereinafter referred to as “Rules of 2012”) which have been framed under Sub Section (1) of Section 70 and Sub Section 1 Part B of Section 53 read with Section 95(1) of Panchayat Raj Adhiniyam, 1993 (hereinafter referred to as “Rules of 1993”). It is also the case of the petitioners that they were working as Panchayat Karmi or Panchayats Shikshak right from 1997 to 2018 in various Panchayat continuously till they were absorbed in the School Education Department in pursuance of policy dated 30.06.2018 issued by the School Education Department, Government of Chhattisgarh. Copies of the joining of the some of the petitioners were also filed by the petitioners, wherein in the case of present petitioner Smt. Abha Namdeo it has been clearly mentioned in the joining report dated 14.06.2005 that she be allowed to join as Shikshakarmi Grade-III and in the report the appointing



authority was mentioned as Chief Executive Officer, District Panchayat Rajnandgaon.

- (b) It has been contended that the State of Chhattisgarh has issued Circular dated 10.03.2017 granting benefits of Kramonnati to the Assistant Teacher. Smt. Sona Sahu has filed Writ Petitionss(S) No. 3006/2020 before this Court wherein the petitioner has claimed that she has prayed for quashing of the order dated 29.02.2020 passed by the respondent No. 6 and also prayed to grant any other relief deem fit by this Court. It has been contended in the petition that the petitioner has rendered as Assistant Teacher for more than 10 years from the date of joining of the service till date she has not been granted kramonnati as per the service rules, therefore, she has also prayed for grant of kramonnati as per order dated 10.03.2017 and 17.03.2019 after completion of more than 10 years of service on 01.08.2005. The said writ petition was dismissed by the learned Single Judge, against which Writ Appeal No. 261/2023 was filed by the petitioner wherein the Hon'ble Division Bench has allowed the writ appeal considering the following factual matrix of the case:

"The brief facts of the case are that the petitioner was initially appointed as Assistant Teacher at Sonahat District Koriya vide order dated 29.07.2005 and she joined on 01.08.2005. Presently she is posted as Assistant Teacher at Govt. Primary School Narayanpur, District Surajpur. She is discharging her duty with utmost sincerity and having length of service of more than 10 years without any interruption."

and thereafter passed the following order:



“11. While considering the pleadings and documents the learned Single Judge has also not considered the circular/order dated 10.03.2017 and the ground was raised by the petitioner before the learned Single Judge. It is not a case of the respondents that the circular/order dated 10.03.2017 is not effective as on date or the order has been withdrawn by the State Government. If the circular/order dated 10.03.2017 is in existence, the petitioner is certainly be entitled for benefit of the same. True it is that on 14.11.2014 when the circular/order was issued withdrawing the earlier circular/order dated 02.11.2011 with effect from 01.05.2013, the petitioner was not completed 10 years of her service, but on the date of circular/order dated 10.03.2017 she has completed her 10 years of service and is entitled for Kramonnati after completion of 10 years of service.

12. In the result, the writ appeal is allowed. The impugned order dated 04.05.2023 passed by the learned Single Judge is set aside and WPS No.3006 of 2020 is allowed. The order dated 29.02.2020 (Annexure-P/1) passed by respondent No.6 is hereby quashed. The appellant is entitled for all consequential benefits. With these observations, the appeal is allowed.”

- (c) It has also been contended that the petitioners have completed 10 years service, still they have not been granted benefits of kramonnati as per Circular dated 10.03.2017 though their cases are squarely covered with the judgment of Hon'ble Division Bench in Writ Appeal No. 261/2023 and as per circular dated 10.03.2017, as such it is a discriminative action on the part of respondents. It has also been contended that the State Government has also filed SLP before the Hon'ble Supreme Court bearing Diary No. 58525/2024 which has been dismissed by the Hon'ble Supreme Court on 17.03.2025 and against that a review petition has also been filed which has also been dismissed by the Hon'ble Supreme Court. Thus, they are entitled to get same benefits at par with Smt. Sona Sahu case. It has also been contended that the judgment passed by the



Hon'ble Supreme Court is judgment in rem and the State is bound to grant benefits at par with Smt. Sona Sahu case.

3. The State has filed its return denying the allegations made in the writ petitions mainly contending that:

(a) That 73rd Constitutional Amendment Act, 1992 provides constitutional status to the Panchayati Raj Institutions and mandated the devolution of powers, functions, and staff-including those related to education. Accordingly, the erstwhile State of Madhya Pradesh has enacted the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 and same has been adopted by the State of Chhattisgarh as Chhattisgarh Panchayat Raj Adhiniyam, 1993. In pursuance of provisions of Panchayat Raj Adhiniyam, the State Government decided to devolve the responsibility of recruiting school teachers to Panchayats and urban local bodies. Accordingly, in exercise of the powers conferred under Section 53(2), read with Sections 70 and 95(1) of the 1993 Act, the State promulgated the Madhya Pradesh (Now Chhattisgarh) Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 1997, which came into effect from 01.01.1998.

(b) It has also been contended that the State of Chhattisgarh for uplifting the service benefits of the Panchayat Karmi working under the panchayat has granted regular pay scales as per the applicable norms under the rules framed for panchayat shikshakarmi. These rules clearly provided for a separate



framework of employment, which imposed financial limitations and excluded them from the broader entitlements available to regular Government teachers. This separation in structure and service conditions categorized their classification as a separate category of employees under the decentralized educational governance system. It is pertinent to mention here that the Shiksha Karmis were appointed by the local bodies through the different set of rules, and their pay structure, promotional prospects, and service governance were regulated separately under the rules framed under the Panchayat Raj Adhiniyam, 1993, specifically for Panchayat Shiksha Karmis which clearly establishes that they are not the regular teaching cadre of School Education Department.

- (c) It has also been contended that the Department of Panchayat and Rural Development, issued an order dated 02.11.2011, wherein it was, for the first time, decided to extend the benefit of Kramonnat Vetanman (Up-gradation Pay Scale) to Shiksha Karmis who had completed 10 years of continuous service but had not been granted any promotion due to absence of promotional avenues within their cadre. The aforesaid decision was taken in order to remove the stagnation faced by Shiksha Karmis in their career. It is also important to mention here that the State Government, through the Department of Panchayat and Rural Development, issued further order dated 01.05.2012 whereby it was decided to grant Time Scale Pay to all Shiksha Karmis upon completion of 7 years of continuous service. In



pursuance of the said order, the benefit of Time Scale Pay was duly extended to eligible Shiksha Karmis, as such they are entitled to get the pay scale prescribed in their respective rules framed under the Act of 1993.

(d) It is further contended that in the year 2012, the Shikshakarmis Grade-I, II, and III who were re-to designated as Assistant Teacher (Panchayat), Teacher (Panchayat), and Lecturer (Panchayat), respectively approached this Hon'ble Court by filing W.P.(S) No. 20 of 2012, thereby seeking parity in pay scale with the regular teachers serving under the School Education Department and the Tribal Welfare Department. Upon consideration of the matter, this Court categorically held that the Shikshakarmis are entitled only to the Panchayat pay scale, as per the terms and conditions applicable to their appointments and recruitment rules governing the field and dismissed the petition vide order dated 30.01.2012.

(e) The Department of Panchayat and Rural Development vide its order dated 17.05.2013 directed that the Shiksha Karmis working in Panchayat-run government schools are entitled to get revised pay scale equivalent to that of regular Government teachers working under the School Education Department. Since the Department of Panchayat has taken a decision vide order dated 17.05.2013 to grant pay scale to the Shikshak Panchayat who have completed 8 years of service with effect from 01.05.2013 in pursuance of order dated 17.05.2013, as



such, earlier kramonnati order issued on 02.11.2013 was retrospectively withdrawn vide order dated 14.11.2015.

(f) Likewise, in the year 2014, Shikshakarmis of Grade-II and Physical Training Instructors (PTIs) serving under Municipal Bodies instituted a writ petition seeking parity in pay with teachers appointed under the Municipal Services, governed by the Chhattisgarh Municipal Employees (Recruitment and Conditions of Service) Rules, 1986. While adjudicating the matter, this Court reaffirmed its earlier view that such claimants are entitled only to the pay scale applicable to them under their appointment terms and governing rules and the Hon'ble Division Bench in Writ Appeal No. 538 of 2015 has affirmed the view of Single Judge and dismissed the said writ appeal vide order dated 01.12.2015. The petitioners of that case have challenged the order passed by the Hon'ble Division Bench of this Court in Civil Appeal No. 3030 of 2022 wherein the Hon'ble Supreme Court has held that Shikshakarmis and Municipal Teachers are governed by distinct service rules and are subjected to different modes of selection and recruitment. As such, the Shikshakarmis cannot legally claim parity in pay scale with Municipal Teachers and dismissed the said Civil Appeal vide its order dated 20.05.2022.

(g) Thereafter, the State of Chhattisgarh took a policy decision to absorb the service of Shiksha Karmis who had completed 8 years of continuous service into the regular government service with effect from 01.07.2018 vide order dated 30.06.2018 issued



by Government of Chhattisgarh, Department of School Education. Thus, it has been contended that as per the terms and conditions mentioned in the absorption order, particularly Clause 4 of that order clearly provides that the Teacher (L.B.) cadre will be entitled to all the benefits of services from the date of absorption i.e. 01.07.2018. Clause 5 clearly states that persons absorbed into Government will not be entitled to any arrears prior to 01.07.2018. The petitioners were absorbed into State Government services on or after 01.07.2018. The petitioners had accepted the terms and conditions enumerated in the order dated 30.06.2018 with all understanding and open eyes. The petitioners are not entitled to any government service benefits arising prior to 01.07.2018, as such, the petitioners are not entitled to claim any benefits arising out of the judgment passed by the Hon'ble Division Bench of this Court in Writ Appeal No. 261/2023. It has also been contended that Kramonnati Scheme was introduced by the State Government vide circular dated 19.04.1999 which is applicable to all regular Government employees and officers. The petitioners were not the regular employees of School Education Department till they are absorbed in the School Education Department, therefore, they are not entitled to get benefit of Kramonnati in pursuance of circular dated 10.03.2017 which is related to the teachers employed in the School Education Department, Government of Chhattisgarh.



(h) It has been further contended that the petitioners who were absorbed in the School Education Department in the year 2018 will be entitled to get kramonnati after completion of 10 years service with the State Department if they fulfill other conditions enumerated in the Scheme for kramonnati issued by the State Government and prior absorption they are not entitled to get benefit of kramonnati and would pray for dismissal of the writ petitions.

4. The learned counsel for the petitioners would submit that the petitioners are similarly situated persons, therefore, they are entitled to get the benefit of judgment passed by the Hon'ble Supreme Court. It has also been contended that the Co-ordinate Bench of this Court in WP(S) No. 1033/2019 in case of Ravi Prabha Sahu vs. State of Chhattisgarh decided on 08.09.2025 has granted the benefit in terms of judgment of Hon'ble Division of this Court, as such the petitioners are also entitled to get same benefits. It has also been contended that if the Hon'ble Court intends to differ the view of the Single Bench then as per Rule 32 and 33 of Chhattisgarh High Court Rules, 2007 the matter should refer to the Hon'ble Division Bench or Larger Bench to examine the matter. To substantiate this submission, the counsel for petitioners referred to the judgment of Delhi High Court in case reported in 2024 SCC Online Del and 2025 SCC online Del 13, judgment of High Court of Gujarat in case of **Hemal Ishawarbhai Patel vs. Veer Narmad South Gujarat University** reported in **2016 GUJHC 45490** and would refer to paragraph 6.5 which reads as under:



“6.5. When the Apex Court does not entertain any Special Leave Petition while observing that it was keeping the question of law decided to be kept open, such question would be treated to have been left open for the Supreme Court only. As far as the High Court is concerned, it would be bound by the judgment not interfered with in the Special Leave Petition as per the law of precedence. In the subsequent case with similar facts and identical issue, the decision not interfered with by the Supreme Court would bind and the different view would be prohibited to be taken on the spacious ground that the question of law kept open, which was the liberty reserved by the Supreme Court for itself only. Therefore, in the instant case when Division Bench judgment in Siddharth Ashvinbhai Parekh (supra) was left untouched by the Supreme Court but the question law was kept open, in the subsequent case considered by this Court where the facts were even otherwise found to be similar and the issue identical, this Court is bound by the decision in Siddharth Ashvinbhai Parekh (supra).

5. It has also been contended that judicial propriety requires that the Single Bench of Court is bound the judgment of Hon'ble Division Bench of this Court and to substantiate this submission the petitioners have referred to case of **Marry Pushpam vs. Cruise marry and others** reported in **2024 INSC 8** and would refer paragraphs 17 and 19. The learned counsel for the petitioners have also referred to the judgment of Hon'ble Supreme Court in case of **Rohan Vijay Nahar vs. The State of Maharashtra** reported in **2025 INSC 1296** and would refer to paragraphs 14.4 and 14.5 which reads as under:

“14.4 We find that the High Court's approach amounts to an attempt to avoid a binding precedent rather than to apply it. The impugned reasoning rests on a misreading of a Gazette publication that only reproduced a draft text and expressly invited objections. It relies on material that is subsequent to the appointed day and that was never the foundation of the impugned mutation entries. It treats mutation as if it were constitutive of title and not a ministerial reflection of underlying legal events. Each of these moves stands at odds with Godrej and Boyce (Supra), which requires strict



adherence to the statutory sequence before vesting can be asserted.

14.5 Judicial discipline required faithful application of the law declared by this Court under Article 141 of the Constitution. Coordinate Benches of the High Court have consistently followed *Godrej and Boyce (Supra)* in closely comparable situations. The impugned judgment nonetheless revives positions that *Godrej and Boyce (Supra)* has rejected. We also note that the Bench was presided over by the same Judge who had earlier taken a contrary view that was set aside by this Court. We do not attribute motive. However, when a judgment minimizes a binding ratio, ignores missing statutory steps, and seeks to distinguish on immaterial facts, it creates an appearance of a reluctance to accept precedent. Such an approach conveys a measure of pettiness that is inconsistent with the detachment that judicial reasoning demands. In our view, this is an unfortunate departure from the discipline of *stare decisis*.”

6. It has also been contended that if a law has been declared in favour of the Government servants then other Government servants in similar situation should receive the same benefits without having to seek Court intervention and to substantiate this submission the petitioners have referred to the judgment of Hon’ble Supreme Court in case of **Lt. Col. Suprita Chandel vs. Union of India and Others** reported in **2024 (12) SCR 381** and would refer to paragraph 14 which reads as under:

“14. It is well settled principle of law that where a citizen aggrieved by an action of the government department has approached the court and obtained a declaration of law in his/her favour, others similarly situated ought to be extended the benefit without the need for them to go to court. [See *Amrit Lal Berry vs. Collector of Central Excise, New Delhi and Others* (1975) 4 SCC 714] ”

7. It has also been contended that the Panchayat Service constituted under the Panchayat Act, 1961 is Government service and to substantiate their submission they have referred to the judgment of Hon’ble the Supreme Court in case of **State of Gujarat & another**



vs. Ramanlal Keshavlal Soni reported in **1983 (2) SCR 287** and

would refer to paragraph 31 which reads as under:

“31. We are, therefore, of the view that the panchayat service constituted under Section 203 of the Gujarat Panchayats Act is a civil service of the State and that the members of the service are government servants. This very question had been decided by the High Court of Gujarat more than 15 years back in *G.L Shukla v. State of Gujarat* ILR 1967 Guj 560 and there appears no good reason to depart from the view then taken by the High Court. Bhagwati, J., who spoke for the Court had said:

"The panchayat service contemplated under the Act is as much a civil service of the State as the State service. The legislature by enacting the Act provided for the establishment of the Panchayat Organisation of the State and for the efficient administration of the Panchayat Organisation, particularly in view of the fact that a large part of the service personnel would be drawn from different sources and would, therefore, be heterogeneous in composition with widely differing scales of pay and conditions of service, the Legislature felt that it would be desirable to have a separate civil service of persons employed in the discharge of functions and duties of panchayats with uniform scales of pay and uniform conditions of service and, therefore, with that end in view the Legislature provided for constitution of the panchayat service. All the provisions of the Act relating to the panchayat service point unmistakably and inevitably to one and only one conclusion, namely, that the panchayat service is one single service with the State as the master. The panchayat service is to be constituted by the State Government and its strength is also to be determined by the State Government. Section 203, sub-section (2) says that the panchayat service shall consist of such classes, cadres and posts and the initial strength of officers and servants in each such class and cadre shall be such as the State Government may by order from time to time determine.....

The provision of different cadres in the panchayat service and the transferability of persons employed in the panchayat service from a post in the district cadre to a post in any taluka in the district and from a post in the taluka cadre to a post in any gram or nagar in the same taluka emphasise that the panchayat service is one single service with one master, namely, the State and each panchayat is not the master of the servant employed in the discharge of its functions and duties. It is difficult to imagine that the Legislature should have provided for transfer of servants from one master to another....



The mode of recruitment, the conditions of service and matters relating to appointments, transfers and promotions of persons employed in the panchayat service as also disciplinary action against them are all determined by the State Government and that is consistent only with the State being the master in the entire panchayat service. The mandatory provision for promotion from panchayat service to State service which is required to be made in the rules also shows that both the services are services of the State. There could be no question of promotion from one service to another if the masters in the two services were different. Then it would be a case of termination of one service and appointment to another....

Then comes Section 206 which provides for making of an order of allocation to the panchayat service....

This provision relating to allocation of officers and servants under clauses (i) and (ii) does not contemplate any termination of service of such officers and servants or any fresh appointment to a new service. There is no concept of termination of the existing service and reappointment to a new service involved in the process of allocation, the concept is only of transfer from one service of the State to another without any break in the continuity of service and that clearly postulates that both services are under the same master, namely, the State, Section 206-A also reinforces this conclusion. It makes the initial allocation provisional and permits the State to review the allocation within a period of four years from April 1, 1963....

It is not possible to believe that the officer or servant could have been intended by the Legislature to be treated like a chattel which can be tossed about from one master to another. The only reasonable way of looking at the matter seems to be and that conclusion is inevitable on the language of these provisions, that the panchayat service is a civil service of State like the State service and since both the services are civil services of the State with the State as the master, an officer or servant can be allocated from the State service to the panchayat service and reallocated from the panchayat service to the State service....

The conclusion which emerges from this discussion is that the panchayat service is a distinct and separate service set up for serving the Panchayat Organisation of the State and it is as much a civil service of the State as the State service. The State can have many services such as State service, police service, engineering service etc. and panchayat service is one of them. In the panchayat service, as in the State service, the State is the master and every officer or servant employed in the panchayat service is the servant of the State and not of the panchayat under which he may be serving for the time being. The panchayat service is one single service with the State as the master."



We entirely agree with the above observations of the learned Judge.”

8. It has also been contended that to implement the scheme of time bound pay scale the State Government has issued clarification on 10.08.2019 according to which if an employee from one department to another department is absorbed in a different pay scale then previous service of the employee can be counted for grant of time bound pay scale. On above premises, it has been contended that the petitioners are similarly situated persons, therefore, they are entitled to get benefits of kramonnati as granted by the Hon'ble Division Bench in case of Smt. Sona Sahu. The learned counsel for the petitioners would submit that the Single Judge cannot take different view than the view taken by the Hon'ble Division Bench of this Court on the issue involved in the present case. Reiterating the submission already made by them they would submit that their cases are squarely covered from the decision of the Division Bench granting similar relief to the petitioner. To substantiate this submission they would refer to the judgments of Hon'ble Supreme Court in case of **Union of India and Another vs. Raghubir Singh (Dead) By Lrs. Etc.** reported in **1989 (2) SCC 754**, **Central Board of Dawoodi Bohra Community and Another vs. State of Maharashtra and Another** reported in **2005 (2) SCC 673**, **State of Tripura and Another vs. K.K. Roy** reported in **2004 (9) SCC 65**.
9. The learned Additional Advocate General for the State vehemently opposing the aforesaid submission would submit that so far as case of Smt. Sona Sahu is concerned, it is not applicable to the present facts of the case, wherein the facts have been projected as if the



petitioner of that case is Assistant Teacher from initial appointment and working in the School Education Department. He would further submit that the Division Bench of this Court as well as Single Bench of this Court in various cases i.e. WP(S) No. 208/2012, WP(S) No. 2530/2017 & Others, WP(S) No. 10335/2019, WP(S) No. 1021/2021, WP(S) No. 3369/2021 & Others, has time and again held that the Shikshakarmis are not entitled to get pay scale or other service benefits at par with the teachers of the School Education Department. He would further submit that the Hon'ble Supreme Court though dismissed the SLP, but no leave was granted, as such, theory of merger is not applicable in the present case, as such this Court can very well examine the entitlement of the petitioners to grant kramonnati as per the Circular dated 10.03.2017. It has been further contended that the Kramonnati Scheme was first time introduced on 10.04.1999 and the subsequent circulars are continuation of the Scheme with modifications which clearly provides that it is applicable to the Teachers of the School Education Department or the employees of the State Government, but not to the employees of panchayat, as such also the reliance upon the 10.03.2017 is misconceived and the writ petitions are liable to be dismissed by this Court. So far as the contention raised by the petitioners that the matter either be referred by this Bench to large Bench in view of the judgment passed by the Single Bench in WP(S) No. 10335/2019 decided on 08.09.2025 is misconceived as the Co-ordinate Bench in paragraph 14 of the judgment has categorically recorded its finding that the case of petitioner of that is



similar to the case of **Smt. Sona Sahu (Supra)**, as such no reference is required and this Court has to examine whether the petitioners' case is at par with the Smt. Sona Sahu (Supra) or not as the petitioners' entire case is based upon that their case is similar to **Smt. Sona Sahu (Supra)** and unless and until the petitioners are able to establish before this Court that there is similar to the case of **Smt. Sona Sahu (Supra)**, they are not entitled to get any relief as prayed for in the bunch of these writ petitions. He would further submit that it is well settled provisions of Service Law that who claims parity should establish before Court of law that they are similarly situated in all aspects to claim parity then only they are entitled to get the benefit which is not the situation in the present case and would pray for dismissal of the writ petitions.

10. I have heard learned counsel for the parties and perused the record.
11. From the above submissions, the points emerged for determination by this Court are:

"1. Whether the petitioners are similarly situated teachers and are entitled to get the benefits of judgment passed by the Hon'ble Division Bench of this Court in case of **Smt.**

Sona Sahu (Supra)?

2. Whether the matter has to be referred to the larger Bench in view of judgment passed by the co-ordinate Bench in case of Raviprabha Sahu vs. State of Chhattisgarh & Others in WP(S) No. 10335/2019?

3. Whether dismissal of the writ petition(s) affirming by the Hon'ble Division Bench and Hon'ble the Supreme Court will



have any effect over the issue raised in the bunch of writ petitions filed by the Shiksha Karmi Grade-I,II, III including Smt. Sona Sahu wherein they have prayed for preparation of gradation list after absorption by the State Government by adding their services in Shiksha Karmi Grade-I, II, III and claiming promotion has been dismissed by this Court?

4. Whether the Shiksha Karmi at the relevant time falls within the ambit of Government Servant or not?

5. Whether any employee working in the Panchayat will be employee of the State Government or not as per Panchayat Raj Adhiniyam, 1993?”

12. Since the aforesaid points determined by this Court are interconnected with each other, therefore, they are being decided by this Court analogously.

13. To determine the points, it is expedient for this Court to go through quickly the recruitment Rules of 1997, Rules of 2007 and Rules of 2012 which have been framed by the State Government as per Section 53(2), Section 70(1) read with Section 95 of the Panchayat Raj Adhiniyam, 1993 as well as Section 95 of the Panchayat Raj Adhiniyam, 1993. The Section 53(2), 70 and 95 of the Panchayat Raj Adhiniyam, 1993 are reproduced below:

“53. Power of State Government in relation to functions of Panchayats. - (2) The State Government may, by general or special order, add to any of the functions of Panchayats or withdraw the functions and duties entrusted to such Panchayats, when the State Government undertakes the execution of any of the functions entrusted to Panchayat. The Panchayat shall not be responsible for such functions so long as the State Government does not re-entrust such functions to the Panchayats.

**70. Other officers and servants of Panchayat. - (1)**

Subject to the provisions of Section 69 every panchayat may with previous approval of prescribed authority appoint such other officers and servants as it considers necessary for the efficient discharge of its duties.

(2) The qualification, method of recruitment, salaries, leave, allowance and other conditions of service including disciplinary matters of such officer and servants shall be such as may be prescribed.

95. Power to make rules. - (1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) All rules shall be subject to the condition of previous publication.

(4) All rules shall be laid on the table of Legislative Assembly.

(5) In making any rule, the State Government may direct that a breach thereof shall be punishable with fine which may extend to two hundred fifty rupees and in the case of continuing breach with a further fine which may extend to five rupees for every day during which the breach continues after the first conviction.”

14. The State Government as per the provisions of Section 53(b) of the Act of 1993 has to provide selection, recruitment, appointment and management of any cadre or cadres of the employees required for implementation of the schemes. Section 70 of the Act of 1993 also provides that the State Government will be prescribed qualification, method of recruitment, salary, leave allowances and other condition of service including the disciplinary matter of such officers and servants, accordingly, the State Government having its power under Section 95 of the Act of 1993 has framed Rules of 1997, Rules of 2007 and Rules of 2012 with regard to recruitment and appointment of Shiksha karmis. Schedule 3 of the Rules of 1997 provides that who will be the member of Selection Committee which consists of



Sabhapati of District Panchayat, Chief Executive Officer of District Panchayat, Deputy Director Education or Assistant Commissioner Tribal Development Department and two experts of the subject nominated by the General Administration Department Panchayat similarly provisions have also been provided under the Rules of 2007 and Rules of 2012 which clearly demonstrate that there is a separate selection process and service conditions of the teachers working in the Panchayat and their appointing authority is Chief Executive Officer of the respective panchayats though the school is run by the State Government, as such, the teachers appointed in the panchayat are different cadre than the teacher appointed in the School Education Department by the State Government. Since their mode of appointment, selection process are different, therefore, they are themselves a separate and distinct cadre than the teachers of the School Education Department. The issue with regard to the claim of salary by the Shikshakarmi at par with regular teachers of the School Education Department has already come up for consideration before the Coordinate Bench of this Court in case of **Rajiv Kumar Jaiswal vs. State of Chhattisgarh** relying upon the judgment of **R. Duraisamy & Others vs. Director of School Education & Others** reported in **JT 2001 (1) SCC 22** wherein the Hon'ble Supreme Court has held as under:

“3. It is clear from the narration made above that the petitioners had been working in the high schools on the upgradation of the middle schools to high schools. If they were really aggrieved, they should have chosen to get back to their parent schools and should have derived the benefits as were being given to those who continued in the Panchayat Union schools. On their absorption in the high schools, they ceased to be a part of the cadre of teachers



serving in schools run by the Panchayat Union. The protection granted by the Government on which the Tribunal had earlier placed reliance was only in relation to pay and awarding of selection or special grade and that would not constitute one single cadre. Therefore, the claim made by the petitioners is unfounded.”

and has held in paragraph 13 as under:

“The case in hand is exactly the same inasmuch as the petitioners are appointed by the Janpad Panchayats/Zila Panchayats and are claiming parity with the Assistant Teachers/teachers working in the School Education and Tribal Department. Therefore, applying the ratio laid down in the matter of R. Duraisamy (Supra) also, the present petition sans substance.”

15. Thereafter, the shikshakarmis working in the panchayat have filed writ petition before this Court claiming age relaxation for civil judge entry level examination 2014 before this Court on the count they are Government servants. The Coordinate Bench of this Court in WP(S) No. 1436/2015 decided on 19.04.2017 considering the recruitment rules, mode of appointment has held that the shikshakarmis are not public servants and their claim for relaxation has been rejected by this Court. The Coordinate Bench of this Court in paragraphs 13 to 15 has held as under:

“13. The High Court of Madhya Pradesh in the matter of Arun Singh Bhadouriya Vs. State of M.P. and others while considering the case of Samvida Shala Shikshak Class II of Zila Panchayat has held that the petitioner is not a government servant and therefore, not entitled to claim age relaxation of upper age limit provided in Second Proviso to Rule 7 of the M.P. Lower Judicial Service (Recruitment & Conditions of Service) Rules, 1994.

14. Thereafter, in the matter of Gajpalsingh Rathore Vs. State of M.P. and others¹² the High Court of Madhya Pradesh has relied upon the matters of Arun Singh Bhadouriya (supra) and Girish Jayantilal Vaghela (supra) and held that that employee working as Shiksha Karmi on contractual basis is not a government employee.



15. Applying the principle of law laid down by the Supreme Court and the Madhya Pradesh High Court in the aforesaid judgments, if the facts of the present case are examined, it is quite apparent that the petitioner was appointed on the post of Shiksha Karmi Grade-III (now re-designated as Assistant Teacher Panchayat) under the Rules of 2007. The said Rules were promulgated under Section 70(1) read with Section 95 of the Act of 1993. That rules were not framed in exercise of powers conferred under proviso to Article 309 of the Constitution of India. It is also apparent that the petitioner was appointed on the post of Shiksha Karmi Grade-III by Janpad Panchayat, Bhatapara, his appointing as well as disciplinary authority is the Chief Executive Officer, Janpad Panchayat, Bhatapara and as such, full administrative and disciplinary control vest in Janpad Panchayat, Bhatapara. Merely because he has been placed under the disposal of school owned by the State Government, he cannot claim that he is a government servant. It is also not in dispute that the petitioner is not entitled for protection under Article 311 of the Constitution of India. Viewed from any angle, it cannot be held that the petitioner was appointed under the Rules promulgated under Article 309 of the Constitution of India and as such, the petitioner having been appointed by Janpad Panchayat, Bhatapara pursuant to the Rules framed under the Rules promulgated under Section 70(1) of the Act of 1993 and admittedly not entitled for protection under Article 311 of the Constitution of India. It cannot be held that the petitioner is government servant and is entitled for age relaxation.”

Against that order, a writ appeal was preferred before the Hon’ble Division Bench of this Court which is registered as WA No. 215/2017 and the Hon’ble Division Bench vide its judgment dated 07.01.2019 has dismissed the same, the operative part of the judgment is reproduced below:

“21. Keeping the totality of the various constitutional provisions and the corresponding enactments including the Act of 1993 and the 2007 Rules relating to appointment of the Panchayat Teachers, this Court has no hesitation in coming to the same conclusion as the learned Single Judge that the Appellant cannot be treated as a Government Servant as he is not holder of a civil post under the State but an appointee of a Panchayat which is an independent entity and has its own enactments and rules governing such appointees. The concession therefore which had been provided for in the advertisement of age relaxation of



additional three years to a government servant cannot be extended to the Appellant as he is not holder of a civil post under the State and cannot be treated to be a government servant to derive the benefit of age relaxation”

Against that an SLP(Civil) No. 12313/2019 was preferred before the Hon’ble Supreme Court which has been dismissed by the Hon’ble Supreme Court on 01.07.2019. It is pertinent to mention here that in subsequent decision also the Coordinate Bench of this Court in case of Smt. Savita vs. State of Chhattisgarh has again held that Shikshakarmis are not Government servants.

16. It is pertinent to mention here that the nomenclature of shikshakarmi Grade-I, II, III has been changed as Lecturer (Panchayat), Teacher (Panchayat) and Assistant Teacher (Panchayat) respectively by the State Government vide order dated 03.11.2015 with regard to those shikshakarmis who have been appointed as per the Rules of 1997, Rules of 2007 and Rules of 2012 the designation has already been changed. The record of the case further demonstrates that the State of Chhattisgarh vide order dated 02.11.2011 has directed for kramonnati of shikshakarmis who have completed 10 years of service in the pay scale of 6800-2000-108000 for shikshakarmi Grade-I, Rs. 5300-150-8300 for Grade-II and Rs. 4500-125-7000 for Grade-III. The circular further provides that for grant of time bound pay scale the teacher panchayat should have completed 7/10 years of teaching work and no punishment was even imposed on him/her. The circular further provides that ACR of the teacher (Panchayat) Cadre should not be less than the average and last year of consideration should be at least ‘B’ and the Committee shall



examine the conditions as set out in the circular which clearly demonstrates that for getting the benefits of kramonnati by the shikshakarmi he/she has to fulfill the conditions enumerated in the circular. Thereafter, the State Government vide order dated 17.05.2013 has granted pay scale to the Teacher (panchayat) cadre at par with Government Teacher w.e.f 01.05.2013 in the scale of Rs. 9300-34800+4300, 9300-34800+4200 and 5200-20200+2400. Thereafter, the State Government, Department of Panchayat vide its order dated 14.11.2014 has withdrawn the order dated 02.11.2011 retrospectively by which kramonatti vetanman was given to the Teacher (Panchayat) cadre in view of revision of pay scale to be made sat par with the regular teacher.

17. Thereafter, the State Government has absorbed these shikshakarmi/teacher Panchayat cadre in the School Education Department vide its order dated 30.06.2018. The Clause 4 specifically provides that for considering the service benefits the length of service will be counted from the date of absorption i.e. 01.07.2018. The various teachers (panchayat) cadre including the appellant of **WA No. 261/2023 Smt. Sona Sahu** has filed the writ petition before this Court bearing WP(S) No. 3773/2022 wherein this Court has held in paragraph 7 and 9 as under:

“7. In the present bunch of petitions, the validity of absorption order issued by Government of Chhattisgarh on 30.06.2018 has not been challenged, therefore, the prayer of the petitioners for grant of seniority from their initial appointment cannot be considered. It is well settled position of law, even the petitioners without any demur or objection with regard to the condition enumerated in the absorption order, have accepted the same with open eye, therefore, they are estopped from challenging the same. It is pertinent to mention here that petitioners were not selected,



appointed under any process or procedure of hiring by the State Government and they can never be treated to be Government servants till they came to be absorbed by the State Government on 30.06.2018. It is also significant that the petitioners do not have any appointment letters issued by the State.

9. In view of the above factual and legal submission, the prayer of the petitioners to count their seniority from initial appointment as Shiksha Karmi till they are absorbed with the School Education Department, cannot be considered and deserves to be rejected, accordingly, it is rejected.”

18. Thereafter, the petitioner Smt. Sona Sahu has preferred a Writ Appeal No. 251/2023 which has been dismissed by the Hon’ble Division Bench on 26.06.2023 wherein it has been held as under:

“5. From perusal of the order under challenge, it appears that the learned Single Judge has gone into all the aspects of the matter. The learned Single Judge has taken note of the policy decision taken by the State of Chhattisgarh on 30.06.2018 absorbing all the Shiksha Karmi GRAde-III, II and I with certain conditions. He has also taken note of order dated 06.07.2018 and the circular dated 04.02.2022 with regard to fixing of the seniority of Shiksha Karmis who have been transferred from one Block to another Block or one District to another District. Clause 7 of the circular dated 04.02.2022 clearly provides that the seniority of Shiksha Karmis would be counted from the date of their joining on the place of transfer. Clause 9 of the order dated 06.07.2018 also specifically provides that those Shiksha Karmis who have been transferred and posted on their own request at the place of their choice, and not as desired by the employer, then their seniority will be counted from the date on which they are posted at the place of their choice.

6. The appellant/petitioner was initially appointed in Block Sonhat, District Korla, on 29.07.2005 and she was transferred to Narayanpur, Janpad Panchayat Surajpur, District Surguja (now District Surajpur). The said transfer was made on the request of the appellant as per her choice and was not made on administrative grounds. The said fact is evident from the order dated 30.06.2009 itself where it is clearly mentioned that since the transfer of the appellant (alongwith three others) was being made on their own request, they were not entitled to any Travelling Allowance. Hence, the contention of the appellant that her seniority in the gradation list should be counted from the initial date of



appointment is noticed to be rejected as her seniority is bound to change as the gradation list for each Janpad Panchayat/District is maintained separately. When the transfer was made on her own request at the place of her own choice, she cannot be placed above the persons who are already working there even if their initial appointment is after the appointment of the appellant. Had it been a case of transfer on administrative grounds, she could have been given placement in the gradation list as per her initial date of appointment which is not the case here. Her placement is to be given only as the junior most candidate in that District/Janpad Panchayat and for the purpose of gradation list, her seniority would also be counted accordingly.”

Against that writ appeal, Smt. Sona Sahu has preferred an SLP(Civil) No. 53267/2023 before the Hon’ble Supreme Court which has been dismissed. Thus, it is held by the Courts that shikshakarmis who have been absorbed in the School Education Department in pursuance of policy decision dated 30.06.2018 are not entitled to add their past service for any service benefits. Thus, the petitioners who are shikshakarmi or Assistant Teacher (Panchayat), Teacher (Panchayat) and Lecturer (Panchayat) are not entitled to add their past service for any service benefits.

19. From the records, it is not in dispute that the petitioners were appointed as Shiksha Karmi Grade-I,II and III as per the Panchayat Rules, 1997 and 2007. The Panchayat Department has issued its first circular on 02.11.2011 by which, for cadre Teacher (Panchayat) and Shiksha Karmi was issued granting first time bound pay scale after completion of 12 years and second time bond pay scale after completion of 24 years. Subsequently, the Panchayat Department issued circular dated 01.05.2013 regarding pay scale at par with the Government teachers who have completed 8 years of service. Thereafter, another circular dated 14.11.2014 has been issued



repealing the earlier circular dated 02.11.2011 on the count that the Teachers in Panchayat Department have already been granted pay scale at par with the Government Teachers, therefore, it has no relevancy and accordingly, it has been cancelled retrospectively. Thereafter another clarification has been issued by the State Government on 28.04.2015 which clarifies that though the circular has been retrospectively cancelled but the circular dated 02.11.2011 granting time bound pay scale will be remained effective upto 30.04.2013, as such the Teachers employed in the Panchayat Department are allowed to get the benefit of time bound pay scale which has already been granted to them under the Panchayat Recruitment Rules only.

20. From bare perusal of the circular, it is quite vivid that the circular dated 10.03.2017 does not deal with the Teachers of Panchayat Cadre as this circular deals with grant of first time bound pay scale and second time bound pay scale to the regular and Government employees only as per circular dated 17.03.1999/ 19.04.1999 issued by the State Government. The circular dated 17.03.1999/19.04.1999 also deals with the time bound pay scale to the Government Servant only and the Shiksha Karmis were not employees of the State Government till their absorption as per the policy decision dated 30.06.2018 taken by the State Government. The petitioner being an employee of Panchayat Department is not a Government Servant till their absorption with the School Education Department, as such his service condition will be governed by the Rules, 2007, 2012 or any other rules framed under Section 95 of



the Panchayat Raj Adhiniyam. The relevant clause of the circular

17.03.1999/19.04.1999, is reproduced below:-

“विषय :-शासकीय सेवकों के लिये कमोन्नति योजना।

राज्य शासन ने यह नीतिगत निर्णय लिया है कि राज्य शासन के प्रत्येक नियमित एवं शासकीय कर्मचारी/अधिकारी को उसके पूरे सेवाकाल में, प्रवेश के समय लागू वेतनमान के अतिरिक्त कम से कम दो उच्चतर वेतनमानों का लाभ दिया जाय।

2. राज्य शासन की सेवा में नियुक्त ऐसे समस्त कर्मचारी जो संबंधित सेवा भरती नियमों के अंतर्गत नियमित रूप से नियुक्त किये गये हों तथा उसके पश्चात् एक ही वेतनमान (तत्स्थानी वेतनमान सहित) में 12 वर्ष अथवा उससे अधिक की अवधि से, निरन्तर कार्यरत हों, तो उन्हें निम्नांकित शर्तों के अधीन, संलग्न सूची में दर्शाये गये अनुसार उच्च वेतनमान में कमोन्नति किया जा सकता है।

(क) यदि उक्त शासकीय कर्म की नियमित सेवा में नियुक्ति पश्चात की सेवा अवधि 12 वर्ष से अधिक परन्तु 24 वर्ष से कम है, तथा उसे सेवा भरती के समय लागू प्रारंभिक वेतनमान अथवा उसके तत्स्थानी वेतनमान के अतिरिक्त कोई अन्य वेतनमान पदोन्नति/कमोन्नति/चयन/अपग्रेड करके अथवा अन्य किसी माध्यम से प्राप्त नहीं हुआ है।

(ख) यदि उक्त शासकीय कर्म की नियमित सेवा में नियुक्ति के पश्चात की सेवा अवधि 24 वर्ष से अधिक है, तथा उसे में प्रवेश के समय लागू वेतनमान के अतिरिक्त एक से अधिक उच्चतर वेतनमान पदोन्नति/कमोन्नति/चयन/अपग्रेडेशन अथवा अन्य किसी माध्यम से न मिला हो।

(ग) इस योजना के अंतर्गत कमोन्नति का लाभ प्रदान करने के लिये उक्त कर्मचारी/अधिकारी के विगत 5 वर्षों के गोपनीय प्रतिवेदनों का परीक्षण उसी प्रकार किया जायेगा जिस प्रकार पदोन्नति के प्रकरणों में किया जाता है, तथा उपयुक्त पाये जाने पर कमोन्नति का लाभ दिया जायेगा।

(घ) कमोन्नति होने पर वेतन का निर्धारण वेतनमान में अगली स्टेज पर निर्धारित किया जावेगा:

परन्तु यदि भविष्य में इसी वेतनमान में पदोन्नति की जाती है तो उसके उपरांत वेतन निर्धारण ऐसा मानते हुए किया जावेगा जैसे कि संबंधित कर्मचारी पूर्व के वेतनमान में ही चला आ रहा हो तथा उसे कमोन्नति के फलस्वरूप वेतन निर्धारण का लाभ नहीं मिला हो।

(च) इस कमोन्नति के फलस्वरूप संबंधित अधिकारी/कर्मचारी के पदनाम में किसी प्रकार का परिवर्तन नहीं किया जायेगा।

3. यह आदेश, इस संबंध में संबंधित विभागों के भरती नियमों में तत्स्थानी संशोधन होने के दिनांक से लागू होंगे।

4. उपरोक्त कंडिका 2 में दर्शाये अनुसार कमोन्नति पश्चात प्राप्त होने वाला वेतनमान, संलग्न सूची के कॉलम नंबर 2 में दर्शाये गये वर्तमान वेतनमान से संबंधित कॉलम नं. 3 का वेतनमान अथवा उसका तत्स्थानी वेतनमान, जो भी लागू हो होगा।



5. यह आदेश वित्त विभाग के पृष्ठांकन क्रमांक 734/एस/110/99/मह/सी/चार, दिनांक 19-4-1999 द्वारा महालेखाकार, मध्यप्रदेश, ग्वालियर को पृष्ठांकित किया गया है।”

21. Since the petitioners who are shikshakarmis are not the Government teachers till their absorption in the School Education Department by the State Government, they cannot claim benefit of the pay parity including kramonnati which has been issued for Teachers working in the School Education Department as held by the Hon'ble Supreme Court in case of **Director of School Education vs. A.N. Kandaswamy** reported in **1998 (8) SCC 26** wherein the Hon'ble Supreme Court in paragraphs 6 and 7 has held as under:

“6. The material on record also discloses that Primary Schools, Middle Schools and High Schools were earlier run by local bodies. After 1981, the Government started upgrading Middle Schools run by the Panchayat Union or the District Board as High Schools. Simultaneously the Government was also taking over those schools. What was to happen to the teachers working in such upgraded High Schools has been stated by the Chief Education Officer in his reply-affidavit filed in the Tribunal. He has stated therein that the teachers on being absorbed in such Government High Schools became a part of the secondary education service of the Government and ceased to be the members of the education service of the Panchayat Union/District Board and that the rules and regulations governing their service conditions were different. Instead of taking note of this factual position, the Tribunal relied upon GO dated 27-1-1960, which really had no relevance. As the schools were earlier under local bodies, the Government by their order dated 27-1-1960 had accepted the recommendation of the Director of Public Instruction to have a common seniority list of all secondary grade teachers whether serving in the Elementary Schools or in the Secondary Schools. Obviously, the said GO had no application where the schools were taken over by the Government from the local bodies. By GO dated 1-6-1978, what the Government had decided was that the total service put in by a BT Assistant Teacher in a particular category should be taken into account for the purpose of computing the length of service for giving selection grade on percentage basis. The



Government had taken that decision because as a result of the take-over of the Panchayat Union Schools by the District Boards in certain districts, the teachers had lost the benefit of service under the Panchayat Union. This GO of 1978 had also no relevance to the new situation that emerged after 1981 as a result of taking over of the Schools by the Government. It also indicates that the teachers of the Panchayat Union Higher Schools when absorbed into the District Board service on account of take-over of those schools by the District Board lost their service under the Panchayat Union and their seniority was fixed on the basis of the dates on which they were absorbed into the District Board service.

7. The Tribunal was therefore wrong in inferring from those government orders that the teachers working in the Primary and Middle Schools run by the Panchayat Union and the teachers working in High Schools taken over and run by the Government constituted one service. Reliance placed upon GO dated 22-3-1971 by the learned counsel for the respondents is equally misplaced. No order passed by the Government subsequent to 1981 has been pointed out by the respondents in support of their contention.

8. The respondents had willingly joined Government High School service, and therefore, they thereafter belonged to a separate cadre known as secondary education service. On their absorption in government service, they ceased to be a part of the cadre of teachers serving in schools run by the Panchayat Union. Merely because their past services were counted for the purpose of protecting their "pay" and awarding selection or special grade, it cannot be said that they continued to belong to the same old cadre. The very basis on which the Tribunal proceeded was wrong and therefore its decision stands vitiated."

22. The petitioners are claiming parity on the strength of judgment passed by Hon'ble Division Bench of this Court in case of **Smt. Sona Sahu** (supra). As such, this Court to examine the case of the petitioners whether their cases are at par with Smt. Sona Sahu or not and this Court vide order dated 15.09.2025 directed the petitioners as under:

"Learned counsel for the petitioners is directed to file additional pleading supported by documents how these cases are at par with WA No. 261/2023 (Smt. Sona Sahu Vs. State of Chhattisgarh & others) which has been decided



by Hon'ble Division Bench of this Court vide order dated 28.02.2024. He is also directed to place on record the copy of the petitioners' appointment order and clarify whether they were possessed B.Ed./D.Ed. degree on the date of appointment or whether B.Ed./D.Ed. is necessary for appointment or not."

23. But, the petitioners have not filed any documents to demonstrate that their cases are at par with Smt. Sona Sahu and on the pleadings made by them only, they have made submissions. Therefore, this Court is deciding the issue on the basis of material already on record and to decide the issue whether the case of the petitioners at par with Smt. Sona Sahu case, this Court has called the records of WP(S) No. 3006/2020 and WA No. 261/2023 for determining whether the petitioners cases are similar to case of Smt. Sona Sahu or not.
24. From the records, the following facts as pleaded by petitioner Smt. Sona Sahu have been revealed:
- (a) That, the petitioner was initially appointed as Assistant Teacher at Sonahat by Janapad Panchayat Sonhat Distt. Koria on 29.07.2005 and joined on 01.08.2005. Now she is doing service as Assistant Teacher at Govt. Primary School Narayanpur Distt. Surajpur (C.G.). The petitioner has been rendering the service as Assistant Teacher more than 10 years from the joining of the service i.e. 01.08.2005 to till date. But the respondent authority did not consider for kramonnati/padonnati (Promotion) to the petitioner as per service rules. That, the concern department of CG. Govt. issued various letters/Guideline/Orders regarding the



Kramonnati/Promotion and up gradation of the pay scale of the School teachers and Assistant Teacher (L.B) etc. The State of C.G.Govt. Department of Finance and Planning issued letter/order/circular on 01.07.2011 regarding the planning of Kramonnati. The State of C.G., the department of Panchayat and Gramin Vikas Raipur issued letter/order/circular on 02.11.2011 regarding the sanctioning the Kramonnati Vetanman after completion of 10 years in the service.

- (b) The State of C.G. Panchayat and Gramin Vikas department Raipur issued letter/order/circular on 17.05.2013 regarding the equation of the salary between the Government Teacher and Teacher (Panchayat) after completion of 8 years in the service. The State of C.G. Panchayat and Gramin Vikas department Raipur issued letter/order/circular on 14.11.2014 regarding the cancellation of the order dated 02.11.2011. The Govt. of C.G. Samany Prashasan Vibhag Mantralaya Mahanadi Bhawan Naya Raipur Issued a letter/order/circular on 10.03.2017 for providing the Kramonnati pay scale to the Assistant Teacher after completion of 10 years for first kramonnati and 20 years second kramonnati in the service. The Ministry of School Education department also issued a letter/Guideline/order for Kramonnati to the teachers on the basis of seniority on 10.03.2017 in place of Padonnati (Promotion). The Ministry of School Education department issued a letter/Guideline/order for clarification about the



arrears on 06.04.2019. The petitioner obtained Annual Reports regarding the service from the concerned department through Right to Information Act, 2005 from the year 2014 to 2019, in which the status is clear that the petitioner is entitled to get Padonnati /Kramonnati. The petitioner submitted a representation before the respondent authority for Kramonnati on the basis of letter dated 07.03.2019 due to completion of more than 10 years from the joining of the service i.e. 01.08.2005, but the respondent authority did not consider the representation of the petitioner.

- (c) The petitioner submitted a representation before the respondent authority along with the copy of order dated 06.12.2019 within the appropriate time on 16.12.2019. The respondent authority accepted the representation of the petitioner and granted Kramonnati. In this regard the respondent No.6 has also passed an appropriate order dated 15.01.2020 in favour of the petitioner. After some time the respondent No.6 has passed another impugned order dated 29.02.2020 whereby the order dated 15.01.2020 is rejected with the reference of order dated 17.05.2013 passed by the ministry of Panchayat and Gramin Vikas Department, Naya Raipur(C.G.) and cancelled the granted kramonnati to the petitioner in suo moto manner, whereas the said order dated 17.05.2013 was concern regarding the equation of the pay scale between the Govt. Teacher and Assistant teacher L.B. and revised pay scale. There is no mention regarding the



Kramonnati or Padonnati in the said circular/Order/Letter dated 17.05.2013. Hence, the impugned order passed by the Respondent No. 6 is unjust, illegal and unconstitutional. It is worthily mentioned here that the pay scale of the petitioner was degraded at the time of equation of revised pay scale rather than other Govt. School teacher in place of up gradation of pay scale. The petitioner is aggrieved with the impugned order dated 29.02.2020, while the petitioner is entitled to get kramonnati as per order dated 10.03.2017 and dated 07.03.2019 after completion more than 10 years of the service in the same post from the joining of the service. The petitioner is entitled for Kramonnati/Promotion in the year 2015 from the joining of the service i.e. 01.08.2005 but the respondent authority did not to do so.

(d) The Hon'ble Single Judge of this Court vide its order dated 04.05.2023 has dismissed the writ petition, against that Smt. Sona Sahu has preferred Writ Appeal No. 261/2023. The appellant in paragraph 2 of the writ appeal has mentioned the fact that "petitioner has been rendering the service as Assistant Teacher from the joining of the service i.e. 01.08.2005 to till date, but the respondent authority did not consider for kramonnati/padonnati to the petitioner as per service rules".

(e) Thereafter, the Hon'ble Division Bench has taken into consideration the following facts as mentioned in the paragraph 2 of the judgment while allowing the writ appeal:



“2. The brief facts of the case are that the petitioner was initially appointed as Assistant Teacher at Sonahat District Koriya vide order dated 29.07.2005 and she joined on 01.08.2005. Presently she is posted as Assistant Teacher at Govt. Primary School Narayanpur, District Surajpur. She is discharging her duty with utmost sincerity and having length of service of more than 10 years without any interruption. It is the case of the petitioner that the State of Chhattisgarh, Department of Finance and Planning, issued a circular/order on 01.07.2011 regarding Kramonnati Vetanman to the employees and in pursuance thereof various letters/guidelines/orders issued by them for upgradation of the pay scale of the School Teachers and Assistant Teachers (LB) etc. The Department of Panchayat and Rural Development, Raipur, Chhattisgarh, has also issued letter/order/circular on 02.11.2011 regarding the Kramonnati Vetanman after completion of 10 years of service. On 17.05.2013 the Department of Panchayat and Rural Development, Chhattisgarh Government, issued a letter/circular with respect to equalization of the pay scale between Government Teachers and Teacher (Panchayat) after completion of 8 years in their services. Further vide another letter/circular dated 14.11.2014, the letter/circular dated 02.11.2011 was cancelled on the ground that the pay scale of Teacher (Panchayat) who have already completed 8 years of their service in rural areas, have already been equalized with that of the Government Teachers from the date of 01.05.2013 and therefore, the necessity of passing of the order dated 02.11.2011 does not exist and therefore, the order/circular dated 02.11.2011 is cancelled with effect from 01.05.2013.

It is further case of the petitioner that vide letter/circular dated 10.03.2017 the General Administration Department, State of C.G. issued another letter/circular by which first Kramonnati Vetanman has been sanctioned after completion of 10 years of service and second Kramonnati Vetanman after completion of 20 years of service. The Ministry of School Education Department has also issued letter/circular for grant of Kramonnati Vetanman to the Assistant Teachers on the basis of their seniority in place of promotion. On 06.04.2019, a clarification has also been issued by the School Education Department, State of Chhattisgarh. Since the petitioner has also completed 10 years of her service and therefore, she is also entitled for Kramonnati Vetanman, for which she has submitted her representation before the respondents authorities for grant of same, but the respondent authorities did not consider the



representation of the petitioner and therefore, she had earlier filed WPS No.10282/2019 before this Court which was disposed of on 06.12.2019 with direction to the petitioner to make detailed representation to the respondent authorities who shall scrutinize the same and pass suitable order in accordance with the rules governing the field of Kramonnati Vetanman within the stipulated time frame.

In compliance of the order dated 06.12.2019 the petitioner submitted her representation on 16.12.2019 and after considering the representation of the petitioner the Kramonnati Vetanman was granted to the petitioner vide order dated 15.01.2020. Subsequently, on 29.02.2020, the respondent No.6 has passed another order whereby the order dated 15.01.2020 was reconsidered and cancelled the same on the ground that the petitioner has completed 10 years of her service after 30.04.2013 and she has not been given any promotion and therefore she is not entitled for any Kramonnati Vetanman. Therefore, the order dated 29.02.2020 has been challenged in the present writ petition.”

25. Thus, it is quite vivid that the appellant Smt. Sona Sahu has claimed herself to be appointed as Assistant Teacher whereas all the petitioners have clearly pleaded that they are initially appointed as shikshakarmi and they have been absorbed as Teacher (panchayat), Assistant Teacher (panchayat) and Lecturer (panchayat) in pursuance of policy decision dated 30.06.2018 issued by the State Government. It is pertinent to mention here that writ appellant of Writ Appeal No. 261/2023 was also shikshakarmi and her prayer to add past service of shikshakarmi has already been rejected by this Court in WP(S) No. 3773/2022 and Writ Appeal No. 251/2023 was also dismissed by the Hon'ble Division Bench and thereafter, SLP was also dismissed on 12.02.2024 by the Hon'ble Supreme Court before decision of the Writ Appeal of 261/2023 which was decided on 28.02.2024. As such, these important facts have not been brought on record and deliberately



concealed the facts, thus the order has been obtained by concealing material, facts and information i.e. the shikshakarmis are not Government servants and the prayer of the petitioner Smt. Sona Sahu for adding her past service has also been rejected by the Single Bench, Hon'ble Division Bench of this Court and the Hon'ble Supreme Court. Thus, the facts of the case of Smt. Sona Sahu is distinguishable from the present facts of the cases. Therefore, the submission made by the learned counsel for the petitioners that the judgment passed by the Hon'ble Division Bench is binding upon this Court in view of the law laid down by the Hon'ble Supreme Court in case of **Rohan Vijay Nahar & Others vs. The State of Maharashtra & Others** reported in **2025 INSC 1296** wherein the Hon'ble Supreme Court in paragraph 14.4 and 14.5 has held as under:

"14.4 We find that the High Court's approach amounts to an attempt to avoid a binding precedent rather than to apply it. The impugned reasoning rests on a misreading of a Gazette publication that only reproduced a draft text and expressly invited objections. It relies on material that is subsequent to the appointed day and that was never the foundation of the impugned mutation entries. It treats mutation as if it were constitutive of title and not a ministerial reflection of underlying legal events. Each of these moves stands at odds with *Godrej and Boyce (Supra)*, which requires strict adherence to the statutory sequence before vesting can be asserted.

14.5 Judicial discipline required faithful application of the law declared by this Court under Article 141 of the Constitution. Coordinate Benches of the High Court have consistently followed *Godrej and Boyce (Supra)* in closely comparable situations. The impugned judgment nonetheless revives positions that *Godrej and Boyce (Supra)* has rejected. We also note that the Bench was presided over by the same Judge who had earlier taken a contrary view that was set aside by this Court. We do not attribute motive. However, when a judgment minimizes a binding ratio, ignores missing statutory steps, and seeks to distinguish on immaterial facts, it creates an appearance of a reluctance to accept



precedent. Such an approach conveys a measure of pettiness that is inconsistent with the detachment that judicial reasoning demands. In our view, this is an unfortunate departure from the discipline of stare decisis.”

26. So far as legal position is concerned the judgment of Hon'ble Division binding upon the Single Bench is inconformity with the law of judicial discipline and law of precedent, but whether the facts projected by the petitioners are similar to the facts of the case decided by the Hon'ble Division Bench have to be placed on record. The petitioners despite direction of this Court have not produced any material facts for claim parity, therefore, the judgment referred by the petitioner in case of **Rohan Vijay Nahar (supra)** is not applicable to the present factual matrix of the case.
27. Even otherwise, from the records of the present bunch of cases and submissions made by the parties, it is quite vivid that the circular dated 10.03.2017 is applicable to the Government servants and admittedly the petitioners of this bunch of cases are not the Government servants till they are absorbed in pursuance of the policy dated 30.06.2018. Thus, it is quite vivid that the petitioners are unable to establish that they are at par with the appellant **Smt. Sona Sahu (Supra)** though onus lies upon them only, therefore, the petitioners are not entitled to get the benefit at par with the appellant in case of **Smt. Sona Sahu (supra)**. It is well settled position of law that for claiming parity, burden to prove lies upon the person claiming parity. Hon'ble the Supreme Court in case of **State of Punjab & others Vs. Jagjit Singh & others [(2017) 1 SCC 148]** had held in paragraph 42.1 as under:-



“42.1 The ‘onus of proof’, of parity in the duties and responsibilities of the subject post with the reference post, under the principle of ‘equal pay for equal work’, lies on the person who claims it. He who approaches the Court has to establish, that the subject post occupied by him, requires him to discharge equal work of equal value, as the reference post (see – the Orissa University of Agriculture & Technology case¹⁰, Union Territory Administration, Chandigarh v. Manju Mathur¹⁵, the Steel Authority of India Limited case¹⁶, and the National Aluminum Company Limited case¹⁸).”

28. Further submission of the learned counsel for the petitioners that against the order passed by the Hon’ble Division Bench SLP was filed before the Hon’ble Supreme Court which has been dismissed by the Hon’ble Supreme Court, but the points are left open, as such, the judgment of Hon’ble Division Bench is binding upon this Court. To appreciate the submission, it is expedient for this Court to extract the order dated 17.03.2025 passed by the Hon’ble Supreme Court in SLP(Civil) No. 58525/2024 wherein the Hon’ble Supreme Court has passed the following order:

“After having heard the learned Solicitor General of India appearing for the petitioner, we find that in the peculiar facts of the case of the first respondent, no interference is called for under Article 136 of the Constitution of India.

The Special Leave Petitions are, accordingly, dismissed. However, question of law, if any, is kept open.”

29. The binding effect of a judgment passed by the Division Bench is not in dispute, but before a judgment of Division Bench or Supreme Court is binding upon the Single Bench, the petitioner has to establish that the judgment of Hon’ble Division Bench is squarely covered with the facts of their case, which the petitioners have miserably failed to prove, even despite directed by this Court to



place the material on record to demonstrate that they are similarly situated persons as observed in the foregoing paragraphs also.

30. Further submission of the learned counsel for the petitioners is that in view of dismissal of the SLP the order of the Hon'ble Division Bench is merged with the judgment of Hon'ble Supreme Court, therefore, this Court cannot re-examine the factual matrix of the present bunch of the cases. This submission is misconceived and deserves to be rejected in view of the fact that the Hon'ble Supreme Court while dismissing the SLP has not granted leave to the State and no speaking order has been passed in such case, the doctrine of merger is not applicable as held by the three Judges Bench of the Hon'ble Supreme Court in case of **Khoday Distilleries Limited (now known as Khoday India Limited) and Others vs. Sri Mahadeshwara Sahakara Sakkare Karkhane Limited, Kollegal** reported in **2019 (4) SCC 376** in paragraph 26 as under:

"26. From a cumulative reading of the various judgments, we sum up the legal position as under:

26.1 The conclusions rendered by the three Judge Bench of this Court in Kunhayammed and summed up in paragraph 44 are affirmed and reiterated.

26.2 We reiterate the conclusions relevant for these cases as under:

"(iv) An order refusing special leave to appeal may be a non-speaking order or a speaking one. In either case it does not attract the doctrine of merger. An order refusing special leave to appeal does not stand substituted in place of the order under challenge. All that it means is that the Court was not inclined to exercise its discretion so as to allow the appeal being filed.

(v) If the order refusing leave to appeal is a speaking order, i.e., gives reasons for refusing the grant of leave, then the order has two implications. Firstly, the statement of law contained in the order is a declaration of law by the Supreme Court within the meaning of Article 141 of the Constitution. Secondly, other than the declaration of law, whatever is



stated in the order are the findings recorded by the Supreme Court which would bind the parties thereto and also the court, tribunal or authority in any proceedings subsequent thereto by way of judicial discipline, the Supreme Court being the Apex Court of the country. But, this does not amount to saying that the order of the court, tribunal or authority below has stood merged in the order of the Supreme Court rejecting the special leave petition or that the order of the Supreme Court is the only order binding as res judicata in subsequent proceedings between the parties.

(vi) Once leave to appeal has been granted and appellate jurisdiction of Supreme Court has been invoked the order passed in appeal would attract the doctrine of merger; the order may be of reversal, modification or merely affirmation.

(vii) On an appeal having been preferred or a petition seeking leave to appeal having been converted into an appeal before the Supreme Court the jurisdiction of High Court to entertain a review petition is lost thereafter as provided by sub-rule (1) of Rule 1 of Order 47 CPC."

26.3 Once we hold that law laid down in Kunhayammed is to be followed, it will not make any difference whether the review petition was filed before the filing of special leave petition or was filed after the dismissal of special leave petition. Such a situation is covered in para 37 of Kunhayammed case."

31. Further submission of the learned counsel for the petitioners that the coordinate Bench of this Court in case of **Raviprabha Sahu vs. State of Chhattisgarh in WP(S) No. 10335/2019** has granted kramonnati vetanman to the petitioner as per circular dated 10.03.2017 issued by the General Administration Department, Government of Chhattisgarh and the coordinate Bench has taken into consideration that the case of the petitioner Raviprabha Sahu's case is similar to **Smt. Sona Sahu (Supra)**, therefore, if this Court intends to take differ view from the judgment of Raviprabha case then the matter should be referred to the Hon'ble Chief Justice for placing the matter for constituting a larger Bench and to



substantiate this submission, the petitioners have referred to Rule 32 and 33 of the High Court of Chhattisgarh Rules, 2007.

32. To appreciate this submission, this Court has gone through the Rule 32 and 33 of the High Court of Chhattisgarh Rules, 2007 which reads as under:

“32. (1)A Judge sitting alone may refer any proceeding pending before him to the Chief Justice with a recommendation that it be placed before a Bench of two Judges when it involves a question of law of public importance.

(2)A Judge sitting alone shall refer any proceeding pending before him to the Chief Justice with a recommendation that it be placed before a Bench of two Judges, if:-

(i) it involves a substantial question of law as to the interpretation of the Constitution or any statutory enactment

OR

(ii) it is considered that the decision in the proceeding involves reconsideration of a decision of a Judge sitting alone.

(3) In a proceeding of the nature referred to in sub-rule (1) of this rule, the referring Judge may refer a stated question(s) or may recommend that the proceeding itself be heard and decided by the Bench to which it is referred.

(4) In cases of the nature referred to in clause (i) of sub-rule (2) of this rule, the proceeding shall be heard and decided by the Bench to which it is referred.

(5) In proceedings of the nature referred to in clause (ii) of sub-rule (2) of this rule, the referring judge shall refer a stated question(s) and shall dispose of the proceedings in accordance with the decision of the Bench on the question(s) referred to it.

33. If a Judge sitting alone considers that the decision of the proceeding pending before him involves reconsideration of a decision of two or more Judges, he may refer it to the Chief Justice with a recommendation that it be placed before an appropriate Bench for a decision on a stated question(s). The referring Judge shall then dispose of the proceedings in accordance with the decision of the Bench on the question(s) referred to it.”



33. From perusal of the paragraph 14 of the judgment of the **Raviprabha Sahu (Supra)**, it is quite vivid that the coordinate Bench has held that the case of the petitioner is similar to the case of **Smt. Sona Sahu (Supra)** and has relied upon the circular dated 10.03.2017 and held that the circular dated 10.03.2017 is the foundation of the case of the petitioner Raviprabha, as such, it is incumbent upon the present petitioners to establish that their cases are similar to Smt. Sona Sahu and the circular dated 10.03.2017 is applicable in their cases with full force which has been issued for granting kramonnati to employees of the State Government. It is pertinent to mention here that after judgment passed by the Coordinate Bench on 08.09.2025, the State has clarified the circular dated 10.03.2017 which reads as under:

“विषयांतर्गत संदर्भित परिपत्र का कृपया अवलोकन करें।

2/ सामान्य प्रशासन विभाग के परिपत्र क्रमांक एफ 10-1/2006/1-3 दिनांक 24.04.2006 की कंडिका 2 में “सहायक शिक्षक” का सहायक शिक्षक (एल.बी) के संदर्भ में तात्पर्य यह है कि संविलियन पश्चात ऐसे सहायक शिक्षक (एल.बी) से हैं, जिनकी शासकीय सेवाएं सहायक शिक्षक (एल.बी) के रूप में 10 वर्ष हो चुकी हैं, उन्हें प्रथम क्रमोन्नति वेतनमान दिया जायेगा।

3/ राज्य शासन द्वारा निर्णय लिया गया है कि 10 वर्ष एवं 20 वर्ष की गणना क्रमोन्नत योजना प्रदान करने के लिए किया जाना है, उसका **Cutoff date** का निर्धारण नियमित शिक्षक संवर्ग में संविलियन तिथि दिनांक से मान्य किया जावे।

4/ उपरोक्त निर्देशों का कड़ाई से पालन सुनिश्चित किया जाए।”

34. From perusal of the facts of the case and the judgment passed by the Coordinate Bench in case of **Raviprabha Sahu(Supra)** as well as classificatory circular issued by the State Government, the cases of the petitioners are different from the judgment passed by the Coordinate Bench in case of **Raviprabha Sahu (Supra)**, as such, the matter is not required to refer to the larger Bench, therefore, the



submission made by the counsel for the petitioners to refer the matter to the larger Bench deserves to be rejected and accordingly, it is rejected.

35. Considering the facts of the case that the petitioners till absorption in pursuance of the policy dated 30.06.2018 are not teachers of the School Education Department, they were shikshakarmis though their designation has been changed as Assistant Teacher (panchayat), Teacher (panchayat) and Lecturer (panchayat) respectively and they are governed by the separate rules framed under the Panchayat Raj Adhiniyam, 1993, therefore, the petitioners are not fulfilling the criteria as laid down in the circular dated 10.03.2017, the bunch of the writ petitions are liable to be dismissed, accordingly, they are dismissed.
36. Pending interlocutory applications, if any, stand disposed of.
37. Since large number of cases are decided by this common order, the Copying Section of this Court is directed to obtain cause title of respective cases from the CIS while issuing certified copy of respective cases to the parties.

Sd/-
(Narendra Kumar Vyas)
Judge