



2026:CGHC:17969-DB

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WA No. 310 of 2026**

1. Mangal Ram Usendi S/o Halal Ram Usendi Aged About 49 Years Presently Working As Head Master (Primary School) At Govt. Primary School Udarkamta, Block - Antagarh, District Uttar Bastar Kanker Chhattisgarh
2. Shri Ram Uike S/o Laduram Uike Aged About 49 Years Presently Working As Head Master Govt. Primary School Dhobapara, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh
3. Krishna Ram Sahu S/o Bisal Ram Sahu Aged About 52 Years Presently Working As Teacher (L B) At Govt. Middle School Godri, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh
4. Anil Kumar Thakur S/o Shripal Singh Aged About 48 Years Presently Posted As Head Master (Primary School) At Govt. Primary School Mankot, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh
5. Sugadoo Ram Potai S/o Sundar Ram Potai Aged About 49 Years Presently Posted As Head Master (Primary School) At Govt. Primary School Mankot, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh
6. Shani Ram Taram S/o Umrao Taram Aged About 47 Years Presently Posted As Head Master (Primary School) Govt. Primary School Rengapara, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh

7. Gopal Singh Jain S/o Bhanu Ram Jain Aged About 50 Years Presently Posted As Teacher (L B) At Govt. Middle School Useli, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh
8. Vishwanath Nag S/o Boti Ram Nag Aged About 48 Years Presently Posted As Teacher (L.B.) At Govt. Middle School Pusagaon, Block Antagrah, District Uttar Bastar Kanker Chhattisgarh

**... Appellant(s)**

**versus**

1. State of Chhattisgarh Through Secretary, Panchayat And Rural Development, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh
2. The Secretary Panchayat And Rural Development Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
3. Director Directorate of Public Instruction, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
4. Commissioner Cum Director Directorate Of Panchayat, Atal Nagar Naya Raipur, District Raipur Chhattisgarh
5. Chief Executive Officer Jila Panchayat, Distt. Uttar Bastar Kanker, Chhattisgarh
6. Chief Executive Officer Janpad Panchayat, Antagrah, Distt. Uttar Bastar Kanker, Chhattisgarh
7. District Education Officer Uttar Bastar, Distt. Uttar Bastar Kanker, Chhattisgarh
8. Block Education Officer Antagrah Distt. Uttar Bastar Kanker, Chhattisgarh
9. Joint Director Fund Audit And Pension, Jagdalpur, District Bastar Chhattisgarh
10. Deputy Director Sthaniya Nidhi Sampariksha, Jagdalpur, District Bastar Chhattisgarh

**...Respondent(s)**

(Cause-title taken from Case Information System)

---

For Appellants : Mr. Ashok Patil, Advocate.  
For Respondent/State : Mr. Prasun Bhaduri, Government  
Advocate.

---

**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Hon'ble Shri Ravindra Kumar Agrawal, Judge**

**Judgment on Board**

**Per Ramesh Sinha, Chief Justice**

**21.04.2026**

1. Heard Mr. Ashok Patil, learned counsel for the appellants. Also heard Mr. Prasun Bhaduri, learned Deputy Advocate General, appearing for the State.
2. The present intra Court appeal has been filed by the appellants against the order dated **24.11.2025** passed by the learned Single Judge in **WPS No. 8779 of 2025 (*Mangal Ram Usendi & Others vs. State of Chhattisgarh & Others*)**, whereby the writ petition filed by the appellants/writ petitioners has been dismissed by the learned Single Judge.
3. It has been pointed out by learned counsel, appearing for the appellants as well as learned counsel appearing for the State that in an identical matter, this Bench had dismissed **WA No. 193 of 2026 (*Pushpalata Manikpuri & Others vs. State of Chhattisgarh & Others*)** vide order dated 13.03.2026, observing as follows :

*“18. From perusal of the contents of the circular dated 10.03.2017, it is quite vivid that the Assistant*

*Teachers, who were in Government service, are to be granted first Kramonnati Vetanman after 10 years of their service and second Kromonnati Vetanman after 20 years of their service, and the teachers and lecturers are to be granted first time-bound pay scale after 10 years of service and second time-bound pay scale after 20 years of service.*

*19. From pleadings made in Para-8.8 of the writ petition, undisputedly the petitioners have been appointed to the post of Shiksha Karmi Grade-III/Grade-II between the period of 1998 and 2008. It is also relevant to notice here paragraph 8.8 of the writ petition, which reads as follows:*

***“8.8 Between 1998-2008, the Chief Executive Officer of Janpad Panchayat appointed the Petitioners in the post of Assistant Teacher Shikshakarmi Grade-3/Teacher- Shikshakarmi Grade 2. After completion of 2 years from the date of joining, the Petitioners who were appointed as Assistant Teachers were regularised by the Chief Executive Officer of Janpad Panchayat and Teachers were regularised by the Chief Executive Officer of Zila Panchayat.”***

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

*21. From a bare perusal of the Circular dated 10.03.2017, it is abundantly clear that the said circular does not deal with or extend benefits to the Teachers*

*belonging to the Panchayat Cadre, including Shiksha Karmi. The circular specifically provides for the grant of first-time-bound pay scale and second-time-bound pay scale to regular Government employees, in accordance with the earlier circulars issued by the State Government dated 17.03.1999/19.04.1999.*

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

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

*24. Thus, in view of the clear distinction between State Government employees and Panchayat cadre*

*employees, the petitioners cannot derive any benefit from the Circular dated 10.03.2017 or the earlier circulars dated 17.03.1999/19.04.1999, as those circulars apply solely to Government servants of the State, and not to employees appointed under the Panchayat department.*

*25. The distinguishable feature of the case of Smt. Sona Sahu (Writ Appeal No. 261/2023) are that she was appointed to the post of Assistant Teacher vide order dated 29.07.2005 and was posted at Government Primary School, Narayanpur. On 01.07.2011, the State Government, Department of Finance and Planning issued a Circular regarding Kramonnati Vetanman to the employees. The Department of Panchayat and Rural Department, Chhattisgarh, Raipur, also issued a Circular dated 02.11.2011 regarding Kramonnati Vetanman after completion of 10 years of service. On 17.05.2013, the department of Panchayat and Rural Development, Chhattisgarh, Raipur issued another circular with respect to the equalisation of pay scale between Government Teachers and Teacher Panchayat after completion of 08 years of their services. Further, vide circular dated 14.11.2014, the earlier circular dated 02.11.2011 was cancelled with effect from 01.05.2013. The petitioner was granted the benefit of Kramonnati Vetanman vide order dated 15.01.2020, but the said order was cancelled vide order dated 29.02.2020 on the ground that the Circular dated 02.11.2011 has already been cancelled with effect from 01.05.2013 vide order dated 14.11.2014, and since the petitioner, who has not completed 10 years of her service in the cadre, was not entitled to Kramonnati Vetanman.*

*While passing the order dated 15.01.2020, the authorities had considered the circulars dated 07.03.2019, 06.04.2019, and granted Kramonnati Vetanman to Sona Sahu with effect from 01.08.2015 and thereafter the concerned authority sou motu re-considered the order dated 15.01.2020 and passed the order on 29.02.2020, by which the benefit granted to Smt. Sona Sahu was cancelled. While considering the matter, the concerned authority had not consider the circular dated 10.03.2017 and 07.03.2019. In the peculiar facts of the case of Smt. Sona Sahu (Writ Appeal No. 261/2023) was granted the benefit of Kramonnati Vetanman, vide order dated 28.02.2024, passed in Writ Appeal No. 261/2023. The challenge of the order dated 28.02.2024 passed in Writ Appeal No. 261/2023, and Review Petition No. 147/2024 is dismissed by the Hon'ble Supreme Court vide order dated 17.03.2025, passed in SLP (C) Diary No. 58525/2024, by observing that in the peculiar facts of the case of Smt. Sona Sahu, no interference is called for, and accordingly, the SLP(C) was dismissed by the Hon'ble Supreme Court.*

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

*27. Further, Clauses 4 and 5 of the absorption order dated 30.06.2018 clearly restrict the grant of any benefit to the employees of the Panchayat*

Department whose services have been absorbed with the school education department for the benefit of arrears prior to 01.07.2018. Clause 4 and 5 of the absorption order dated reads as under:

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

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

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

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

29. The present writ appeal has been filed by the appellants/petitioners seeking the benefit of Kramonnati under the Circular dated 10.03.2017, claiming parity with the case of Smt. Sona Sahu (Writ Appeal No. 261/2023). The petitioners were initially appointed as Shiksha Karmi under the Panchayat Department between 1998 and 2008, and their services were regularized by the order passed by the Chief Executive Officer of the respective Janpad and Zila Panchayats. They continued to serve under the

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

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

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

*32. The learned Single Judge after adverting and considering the entire facts and circumstances of the*

case, elaborately considered various judgments passed by Hon'ble Supreme Court in the case of **Rohan Vijay Nahar and Others v. The State of Maharashtra and Others** 2025 INSC 1296, **State of Punjab and Others vs. Jagjit Singh and Others**, 2017 (1) SCC 148, **Khoday Distilleries Limited (Now known as Khoday India Limited) and Others vs. Shree Mahadeshwara Shahkara Sakkare Karkhane Limited Kollegal** 2019 (4) SCC 376 and **Ravi Prakash Sahu vs. State of Chhattisgarh** order dated 08-09-2025 passed learned Single Judge of this Court in WPS No. 10335/2019, decided the writ petition filed by the writ appellants/petitioners in which, we do not find perversity or infirmity. The consideration of the learned Single Judge in the impugned order is well merited based on a proper appreciation of the facts and law applicable to the case.

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

34. In view of the above, the writ appellants/petitioners have failed to demonstrate that they are similarly situated to the petitioner in Writ Appeal No. 261/2023 (**Smt. Sona Sahu v. State of Chhattisgarh and Others**). Their claim under the Circular dated 10.03.2017 is, therefore, misconceived, and the learned Single

*Judge has rightly dismissed the writ petition. Accordingly, the present writ appeal is devoid of merit and is hereby **dismissed.***

They further submitted that since the facts and issue involved in the present case is identical to that of WA No. 193 of 2026, this appeal may also be dismissed in the same terms.

4. Having considered the rival submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this appeal is identical to **WA No. 193 of 2026**, this Court deems it appropriate not to take a view other than what has been taken in **WA No. 193 of 2026**.

5. Accordingly, the present appeal is **dismissed** in terms of the order dated **13.03.2026** passed in **WA No. 193 of 2026**.

**Sd/-  
(Ravindra Kumar Agrawal)  
Judge**

**Sd/-  
(Ramesh Sinha)  
Chief Justice**