



CGHC010360572026



2026:CGHC:43201-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 938 of 2026

1 - Shiv Kumar Sonteke S/o Sh. Sharavav Kumar Sonteke Aged About 49 Years R/o Ward No. 14 House No. 122, Shahid Chowk, Dallirajhara, Dondi, District Balod Chhattisgarh

2 - Tukeshwar Kumar Sahu S/o Sh. Bisauha Ram Sahu Aged About 46 Years R/o H. No. 3/1 Ward No. 3 Khaira, Rajnandgaon, District Rajnandgaon Chhattisgarh

... Appellants

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare Mahanadi Bhawan, Atal Nagar, Police Station Rakhi, New Raipur, District Raipur Chhattisgarh

2 - Director Directorate Of Medical Education Old Nurses Hostel, D K S Bhawan, Raipur District Raipur Chhattisgarh

3 - Dean Government Medical College Rajnandgaon, District Rajnandgaon Chhattisgarh

4 - Dileep Kumar Sahu S/o Shri Premlal Sahu Aged About 45 Years R/o Chiwri, Dhamtari, District Dhamtari Chhattisgarh

... Respondents

For Petitioner : Mr. Sajal Kumar Gupta, Advocate

For Respondents 1 to 3/State : Mr. Prasoon Bhaduri, Dy. Advocate General

Hon'ble Mr. Krushna Ram Mohapatra, Chief Justice

Hon'ble Mr. Santosh Sharma, Judge

Order on Board

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Per : Krushna Ram Mohapatra, Chief Justice

06/10/2026

1. This intra-court appeal has been filed by the appellants/petitioners assailing the order dated 23.03.2026 (Annexure-A/1) passed by learned Single Judge in Review Petition No.84/2026, by which, the review petition was dismissed affirming the Order dated 15.09.2025 passed in WPS No.5766/2022 (Annexure-A/2), allowing the writ petition to the extent that the appellants are entitled to the revised pay of scale from the date of recommendation, i.e. 14.12.2020.
2. Learned counsel for the appellants submits that the appellants joined as Pump Attendants on 14.05.2018 in Government Medical College, Rajnandgaon (CG). In the order of appointment, their pay scale was shown to be Rs.4750-7440/- with Grade Pay of Rs.1300/-. The grievance of the appellants was that the State Government has already revised the pay scale of Pump Attendants of Government Medical Colleges w.e.f. 23.06.2015. By virtue of said notification, the pay scale of Pump Attendants stood revised to Rs.5200-20200/- with Grade Pay of Rs.1800/-. Since the appellants were allowed to continue at a lower pay scale along with grade pay, they made a representation to the authority. In the meantime, the Director, Medical Education, Chhattisgarh vide its letter dated 14.12.2020, recommended the State Government to revise the scale of pay of Pump Attendants in different Government Medical Colleges from Rs.4750-7440/- with Grade Pay of Rs.1300/- to Rs.5200-20200/- with Grade Pay of Rs.1800/-. The case of the appellants before the learned Single Bench was that by the date of their appointment, the Government had revised and prescribed a

higher scale of pay to the Pump Attendants of different Government Medical Colleges. Thus, the appellants were entitled to the same from the date of their appointment and not from the date of recommendation, as directed. It is submitted that the learned Single Judge, though held the same to be discriminatory, but without allowing higher scale of pay to the appellants from the date of their initial appointment, directed to enhance the scale of pay of the appellants w.e.f. 14.12.2020, on which date the recommendation/proposal was made by the Director, Medical Education, Chhattisgarh to enhance the pay scale of Pump Attendants. Assailing the same, the appellants also filed a review petition being Review Petition No.84/2026, which was dismissed vide Order dated 23.03.2026. Assailing both the orders, the writ appeal has been filed.

3. Mr. Prasoon Bhaduri, learned Dy. Advocate General, on the other hand vehemently objects to the submissions and prayer made by learned counsel for the appellants. It is his submission that vide Circular dated 23.06.2015, pay scale of Pump Attendants of Government Medical College, Raigarh was enhanced from Rs.4750-7440/- with Grade Pay of Rs.1300/- to Rs.5200-20200/- with Grade Pay of Rs.1800/-. It was not made applicable to any other Government Medical Colleges. Pursuant to the recommendation of the Director, Medical Education, Chhattisgarh, vide its recommendation dated 14.12.2020, enhancement of scale of pay with grade pay was made applicable to all the Government Medical Colleges in respect of Pump Attendants. Thus, the learned Single Judge has committed no error in directing release of enhanced scale of pay with grade pay to the appellants from the date of recommendation by the Director, Medical Education,

Chhattisgarh, i.e. on/from 14.12.2020. This aspect was not specifically stated either in the writ petition or in the writ appeal. The State in its return, brought the same to the notice of learned Single Judge, which was taken into consideration while passing the order passed in the writ petition. Further, the order in the writ petition was passed on 15.09.2025 and the writ appeal was filed with much delay, that too without filing any application for condonation of delay. Thus, the writ appeal should be dismissed both on merits and for the delay and laches of the appellants.

4. Heard learned counsel for the parties and perused the material on record.
5. On a bare perusal of the Circular dated 23.06.2015, which is annexed as Annexure-P/3 to the writ petition, it is apparent that the revised pay scale was made applicable to the Government Medical College, Raigarh only. It was not made applicable to all the Government Medical Colleges of the State of Chhattisgarh. However, vide letter dated 14.12.2020 (Annexure-P/8 to the writ petition), the recommendation/proposal was made by the Director, Medical Education to make it applicable to all the Government Medical Colleges. As such, the appellants, although appointed as Pump Attendant on 14.05.2018 in the Government Medical College, Rajnandgaon, but were not entitled to the revised scale of pay with grade pay from the date of their initial appointment, as it was not made applicable to the said Government medical college vide Letter/Circular dated 23.06.2015. The learned Single Judge, taking note of the same, more particularly, the recommendation dated 14.12.2020, holding the action of the State Government to be discriminatory, directed that the

appellants would be entitled to revised pay scale of Rs.5200-20200/- with Grade Pay of Rs.1800/- from the date of recommendation and not from the date of their initial appointment.

6. In that view of the matter, we find no infirmity in the impugned order. Since we find no merit in the writ appeal, we are not dwelling into the question of delay and laches in filing the writ appeal as raised by Mr. Bhaduri, learned Dy. Advocate General. Thus, the writ appeal, being devoid of any merit, stands **dismissed**.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice