

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1007 of 2015

Anand Prakash S/O Late Shri Masi Prakash Aged About 64 years Rtd
U.D.T. Govt Middle School Taraigaon Block Gourella Distt.- Bilaspur,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Tribal Department New Mantralay Bhawan Raipur, Chhattisgarh
2. Assistant Commissioner, Tribal And Welfare Department Bilaspur, Chhattisgarh
3. Joint Director Treasury And Pension Bilaspur, Chhattisgarh
4. Block Education Officer Block Gourella Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:-	Shri Ajay Shrivastava, Advocate
For Respondent	:-	Shri Shashank Thakur, Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

01/05/2015

1. The claim of the petitioner through the instant case is for a direction to the respondents for consideration of the case of the petitioner for grant of regular pay scale from the date of initial appointment.
2. Counsel for the petitioner submits that the said issue has already been decided by this Court in the case of Dashrath Prasad Kaiwartya v. State of Chhattisgarh and other in W.P.(S) No. 2144/2012 decided on 17.07.2012 whereby this Court is observed as under:-

“ In view of the foregoing, nothing further is required to be done in this case. The petitioner may approach the afforested Committee, if the relief sought for by the petitioner in this petition has not been granted. It is further directed that all the similarly situated teachers may first approach to the Committee, as aforestated before approaching to this Court if their grievances still survive, they are at liberty to approach this Court. It is further clarified that the similarly situated teachers may make a representation to the Committee for redressal of their grievances in respect of grant of regular pay scale w.e.f. The initial date of appointment by post also”.

3. Counsel for the petitioner further submits that subsequently many other writ petitions were also filed which has been disposed of with a direction that the case may be referred to the Committee constituted by the State Government in this regard to look into the grievances of the petitioner. He refers the order of this Court in W.P.S No.838/2015 as well as W.P.S No.673/2015 and further prays similar relief may also be granted to the present petitioner also.

4. State counsel does not dispute the fact and also does not object on the petition being disposed of by the matter being referred to the Committee Constituted in this regard for the redressal of the grievances of the petitioner.

5. Accordingly, the instant writ petition is also disposed of in terms of the order passed by the Coordinate Bench in the case of Dashrath Prasad Kaiwartya (Supra) and the petitioner is directed to approach the Committee constituted in this regard by moving appropriate representation and the Committee in turn shall consider and decide the same in accordance with law on its own merit.

6. It is expected that the Committee concerned shall take an appropriate decision within a period of 12 weeks from the date of receipt of representation of the petitioner.

(P. Sam Koshy)
JUDGE