

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6620 of 2014**

- Vijay Kumar Bharti S/o Shri Baijoram, aged about 49 years, working as Sub-Engineer, Public Works Department, Koriya Division, Manendragarh, Police Station-Manendragarh, District-Koriya (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.)
2. Engineer-In-Chief, Public Works Department, Sirpur Bhawan, Raipur (C.G.)
3. The Chief Engineer, Public Works Department, Surguja Zone, Ambikapur, District-Surguja (C.G.)
4. The Executive Engineer, Public Works Department, Koriya Division, Manendragarh

---- Respondents

For Petitioner	:	Shri AK Pandey, Advocate
For Respondents/State	:	Shri S. Majid Ali, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/07/2015**

1. Petitioner is working as Sub-Engineer in the department of Public Works. He has preferred this writ petition seeking time bound pay-scale as per the Government circular dated 31.07.2008.
2. Petitioner had earlier preferred WP(S) No.3064/2013, which was disposed of with a direction to the respondents to consider his representation on its own merits. Representation preferred by the petitioner has now been rejected by the impugned order on the ground that the rules governing promotion are also applicable to the grant of time bound pay-scale and

since under the relevant rules time bound pay-scale is allowed only to such Sub-Engineers who have passed departmental civil engineering examination and the petitioner having only passed accounts training examination but has not passed civil engineering examination, therefore, he is not entitled for time bound pay-scale.

3. Learned counsel for the petitioner would refer to a circular dated 24-11-1984, published in the Chhattisgarh Suvidha Hand Book to argue that since the petitioner has already crossed the age limit of 45 years, he is exempted from passing the departmental exam.
4. Perusal of the circular published in the Suvidha Hand Book would reveal that the same has been issued by the Revenue Department for departmental examinations for the officers belonging to the cadre of Assistant Collectors, Deputy Collectors and Superintendents of the office of Collectors and Revenue Commissioners and not for the Sub-Engineers belonging to the Public Works Department. Since admittedly, the petitioner has not passed departmental civil engineering examination, he is not eligible for time bound pay-scale.
5. There is no error committed by the respondents in rejecting petitioner's representation. Accordingly, the writ petition is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

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