

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3122 of 2015**

- Sadhu Ram Maitry S/o Shri Darash Ram Maitry Age About 63 Years R/o Village Semradihi, Post Kiriari Via Dhabra P.S. Dhabra District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, School Education Department, Mahandi Bhawan, Mantralaya, Naya Raipur, Civil And Revenue District Raipur Chhattisgarh 492002.
2. District Education Officer, Janjgir Champa
3. Block Education Officer, Janjgir Champa

---- Respondents

For Petitioner	:	Shri Barun Chakrabarty, Advocate
For Respondents-state	:	Shri Bhaskar Payashi, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****26/08/2015**

1. The petitioner was initially appointed as Assistant Teacher on a fixed pay of Rs.100/-. After completion of the probation period, the petitioner was granted regular pay scale.
2. Learned counsel appearing for the petitioner submits that the issue involved in the case is as to whether, the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (*Madhukant Yadu*

and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers were entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/ Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioner also submits that this Court, while considering the same issue in *Amar Sai Ram & others v. State of Chhattisgarh & others* [W.P. (S) No.4725/2006] by order dated 01.09.2006, allowed the petitioners to make a representation within a period of ten days, raising all their grievances and in turn the concerned respondent was directed to decide the representation in an objective manner within a period of 30 days from the date of receipt of the representation.
5. Accordingly, the petitioner is granted liberty to make a representation raising all the grievances and in turn, the concerned respondent is directed to decide the representation, if any, in accordance with law, on its own merits, within a period of six months from the date of receipt of the representation, subject to proper scrutiny and verification of the facts and the aforestated decisions .
6. In view of the foregoing, this petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Ashu