

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3171 of 2015

- Dr. Suresh Chandra Tiwari S/o Shri I.P. Tiwari, Aged About 74 Years
R/o House No. 26/470, Beside Amin Para, Murlidhar Mandir, Purani
Basti, Raipur District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health
And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur,
District Raipur Chhattisgarh
2. Director, Directorate Of Ayurvedic, Homeopathic, Unani, & Prakritik
Chikitsa, Behind D.K.S. Bhawan, Ghadi Chowk, Raipur, District Raipur
Chhattisgarh

---- Respondents

For Petitioner	Shri Jitendra Pali, Advocate
For Respondent/State	Shri Y.S. Thakur, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

31/08/2015

Heard finally with the consent of the learned counsel for the parties.

1. The petitioner has prayed for grant of upgradation pay scale as per circular dated 17.03.1999, 19.04.1999, 17.05.2000 and 28.07.2007.
2. Learned counsel for the petitioner would submit that although the petitioner has retired in July, 2001, however, the upgraded pay scale has been sanctioned in favour of similarly situated retired Ayurveda Medical Officers on 22.04.2013 vide Annexure-P-7 and moreover many persons, who have been sanctioned the upgraded pay scale, are

junior to the petitioner. He would submit that the petitioner's case remains pending with the authorities only on account of non availability of ACRs, for which the petitioner cannot be held responsible.

3. Considering the entire facts situation of the case, the writ petition is disposed with a direction that in the event, the petitioner prefers a fresh representation before the respondent No.1, within a period of 15 days from today, the said respondent shall consider and decide the petitioner's representation by a speaking order, at the earliest, preferably within a period of 3 months from the date of submission of representation.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala