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Single Bench

**THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR**

W. P. (S) No. 2269 /2012

PETITIONER

:

Tanzeem Begum TANZEEM BEGUM

W/o. Shri Khaliluddin Khan

Aged about 56 years, Training

Officer, Women I.T.I., Korba,

R/o. H-10, I.T.I. Colony, Korba

(C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through: Secretary, Technical
Education, Man Power Planning,
Science and Technology
Department, D.K.S. Bhawan,
Raipur (C.G.)
2. Director, Directorate of
Employment and Training,
Raipur (C.G.)
3. Joint Director, Industrial
Training Institute, Regional
Office, Bilaspur (C.G.)
4. Superintendent, Women
Industrial Training Institute,
Korba (C.G.)
5. Manju Patel, W/o. Shri
Himanchal Patel, aged about 45
years, Occupation - Training
Officer Grade-III, Women I.T.I.,
Korba (C.G.)

**WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA**

1) **PARTICULARS OF THE PETITIONER:**

As given above in the cause title.

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AS PER THE HON'BLE
COURTS DIRECTION ON
21.1.15 AMENDMENT IS
HEREBY INCORPORATED
21.1.15

Attended
Sd/-
AR (J.)





93

HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench:-Hon'ble Shri Justice P. Sam Koshy

Writ Petition (S) No. 2269 of 2012

Petitioner

Tanzeem Gegum

VERSUS

Respondents

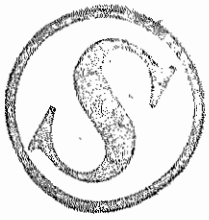
State of Chhattisgarh and
others

Present:- Ms. Naushina Ali, Counsel for the petitioner.
Shri Adil Minhaj, PL for respondents.

Oral Order
(21. 01. 2015)

Heard on I.A. No. 1- which is an application for amendment.

2. On due consideration, the said I.A. No. 1 is allowed.
3. The petitioner is permitted to carry out necessary amendments during the course of the day itself.
4. Counsel for the petitioner submits that the dispute in the instant writ petition already stands decided vide impugned judgment dated 23.11.2009 passed by this Court in W.P. S No. 2442/2009.
5. Counsel for the petitioner further submits that the said judgment of this Court has already given effect to the petitioner therein and the respondents in other identically placed petitions have also been granted the same relief and as such nothing further remains to be adjudicated in the instant writ petition and the same can be disposed of in the light of the order dated 23.11.2009 passed in W.P.(S) No. 2442/09.
6. Counsel for the petitioner further submits that vide order dated 5.8.2013 as well as order dated 14.08.2013 issued by the respondent No. 2 similar orders have already been granted which would establish that the case of the petitioner is also similar to the identically placed persons as that of the employees referred in the above two orders.
7. Counsel for the petitioner further submits that the instant writ petition may also be disposed of with a direction to the



State's Government to consider the case of the petitioner also as has been done in the case of the petitioner in W.P. (S) No. 2442/09 and other similarly placed persons who are identically placed as the present petitioner.

8. According to the counsel for the petitioner, in the event, if the respondents found that the case of the petitioner is similar to and identically placed then she may be given the benefit of seniority and time scale pay as has been granted to the petitioner in W.P.(S) No. 2442/09 and other similarly placed persons.

9. Counsel for the respondent on the said submission made by the petitioner submits that he does not have any objection in this regard. However, he prays that the respondent may have the liberty to reject the claim of the petitioner in the event if the respondents find that the status of the petitioner is not similar or identical and the respondents shall pass a speaking order while rejecting the claim of the petitioner in the event if the respondents find the petitioner is not identically and similarly placed as that of the petitioner in W.P.(S) No. 2442/09.

10. With the aforesaid understanding, the instant writ petition is being disposed of at this juncture, with a direction to the respondents to consider the case of the petitioner in light of the decisions rendered by this Court in W.P. (S) No. 2442/09 on 23.11.2009.

11. In the event, if the petitioner is identically placed like that of the petitioner in W.P.(S) No.2442/09, the same benefit to be extended to the petitioner within a period of four months from the date of receipt of copy of this order or else the claim of the petitioner to be rejected by a speaking order to be also passed within four months time.

12. With the aforesaid reasons the instant writ petition is disposed of. No order as to costs.

Sd/-
P. Sam Koshy
Judge