

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 295 of 2014

- Smt. Manjula Shukla W/o Late Hari Dutta Shukla Aged About 57 Years, Resident of 841, Sunder Nagar, Raipur, Police Station Deendayal Nagar, Distt. Raipur C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya New Raipur, P.S. Rakhi, Distt. Raipur C.G.
2. The Commissioner, Higher Education Directorate Chhattisgarh., Raipur C.G.
3. The Principal, Kalyan Postgraduate College, Bhilai Nagar, Durg, C.G.
4. Chhattisgarh Kalyan Society, Through The Chairman, Kalyan Postgraduate College, Bhilai Nagar, Durg C.G.

---- Respondent

For Petitioner	Mr. Prateek Sharma, Advocate
For Respondent/State	Mr. Majid Ali, Panel Lawyer
For Respondent Nos 3&4.	Mr. Manoj Dubey, Advcoate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

22/9/2015

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

(2) Learned counsel for the petitioner would submit that the petitioner is working as Assistant Librarian in the Kalyan Postgraduate College, Bhilai Nagar, District Durg, a fully aided private institution. The petitioner is entitled for pay scale of Rs.2200-4000/- from the date of initial appointment i.e. 16.08.1998, in the same manner, as it has been

made admissible to other similarly placed Assistant Librarians namely Smt. Usha Twari, Anila Sharma and Anita Saxena. Learned counsel would draw attention of this Court to the document Annexure P/4, which is the order passed by the State Government on 18.10.2011, granting the above pay scale to Dr. Smt. Usha Tiwari, Assistant Librarian, Government Bilasa Girls P.G. College, Bilaspur, wherein, the pay scale has been paid to her from the date of initial appointment. According to him, the petitioner is fully qualified and eligible for the post yet she is discriminated in the matter of grant of pay scale from the date of initial appointment.

(4) Mr. Dubey, learned counsel appearing on behalf of respondents 3 & 4, would submit that the required proposal along with recommendation has already been sent to the State Government and the said respondents have done the needful at their end.

(5) Considering the issue raised in the writ petition particularly for the fact that the petitioner is claiming parity with other similarly placed Assistant Librarians, who are working in the Department of Higher Education, the writ petition is disposed of with a direction that in the event, the petitioner prefers a representation before the respondent No.2 for grant of appropriate pay scale with consequential benefits from the date of initial appointment claiming parity with other similarly placed persons within a period of one month, the respondent No.2 shall decide the representation, at the earliest, preferably within a period of 3 months thereafter. If the need arises, the petitioner may move afresh before this Court.

(6) It is made clear that this Court has not expressed any opinion on

the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

(Prashant Kumar Mishra)

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