

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3835 OF 2015**

Gulabchand Jain S/o Raghuwar Prasad Jain aged about 60 years working as Lecturer at Govt. Girls Higher Secondary School Narayanpur District Narayanpur (CG)

---Petitioner**Versus**

1. State of Chhattisgarh through the Secretary Tribal Welfare Department Mahanadi Bhavan Mantralaya New Raipur District Raipur (CG)
2. Assistant Commissioner Tribal Welfare Department Narayanpur District Narayanpur (CG)
3. Principal Govt. Girls Higher Secondary School Narayanpur District Narayanpur (CG)

----Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/10/2015**

1. By this petition, the petitioner has prayed for a direction to the respondents to consider the case of the petitioner and provide benefit of FR 22 (D) of the Chhattisgarh Fundamental Rules, for grant of increments as provided under the rules and also to pay arrears from the date when it became due.

2. At the very outset, counsel appearing for the petitioner submits that the identical matter has already been considered and decided by this Court vide order dated 27/03/2008 in W.P.(S) No.4991/2006 (Kushal Prasad v. State of C.G.) and the case of the petitioner is squarely covered by the said decision.

3. Counsel appearing for the State does not dispute that the case of the petitioner is squarely covered by the order passed by this Court in W.P.(S) No.4991/2006. He further submits that if the petitioner files fresh representation before the concerned authorities for the relief, which he has claimed by way of this petition, the same shall be considered and decided in accordance with law, subject to verification of facts.

4. For the foregoing reasons, the instant petition is disposed of with liberty to the petitioner to make a fresh representation before the respondent authorities raising all his grievances raised in this petition along with a copy of order passed in W.P. (S) No. 4991/2006 decided on 27/03/2008, on such representation being made, the respondent authorities shall consider and decide the same in accordance with law on its own merits, within a period of three months from the date of receipt of the representation.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari