

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3754 of 2015

Kanti Kumar Sao S/o Shri Patang Ram Sao, Aged About 58 Years
Occupation Service Working As Head Master At Schedule Caste And
Schedule Tribe Government Primary School Jhabar, Block Podi
Uroda, Police Station Bango, Civil & Revenue District Korba
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Tribal Welfare
Department Mantralaya Mahanadi Bhawan New Raipur Chhattisgarh
2. The Commissioner, Tribal Welfare Department, Raipur District Raipur
Chhattisgarh.
3. The Assistant Commissioner, Tribal Welfare Department District Korba
Chhattisgarh
4. The Block Education Officer, Podi Uroda, District Korba Chhattisgarh

---- Respondents

For Petitioner	: Shri R.K.Bhagat, Advocate
For Respondent/State	: Shri Majid Ali, P.L.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

15/10/2015

Grievance of the petitioner in the present petition is that the petitioner was appointed as Assistant Teacher on a fixed pay scale of Rs. 100/- and after completion of probation, he was granted regular pay scale.

The issue involved herein was considered by the M.P. State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu & 56 Others Vs. State of M.P. & Others) wherein it has been held that similarly placed teachers are entitled for regular pay scale from the date of their initial appointment. This matter was taken up to Hon'ble Supreme Court in Special Leave petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble 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.

Counsel appearing for the petitioner also submits that this Court, while considering the same issue in Amar Sai Ram and Others Vs. State of Chhattisgarh and 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.

Accordingly, the petitioner is granted liberty to make a representation raising all the grievances and in their the concerned respondent is directed to decide the representation if any, in accordance with law and the aforesaid decisions, on its own merits, within a period of eight weeks from the date of receipt of the representation subject to verification of the facts.

In view of above, the petition is disposed of.

Sd/-
Pritinker Diwaker
Judge