

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1241 of 2014**

Laxmi Prasad Baghel S/o Shri Phoolsay Baghel Aged About 32 Years
Lecturer (Panchayat) at Govt. High School Kulba, Block & P.S. Raigarh,
District Raigarh (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents**And****WPS No. 1242 of 2014**

Murlidhar Patel S/o Shri Kameshwar Prasad Patel Aged About 44 Years
Lecturer (Panchayat) at Govt. Higher Secondary School Kachhar, Block
& P.S. Raigarh District Raigarh (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents**And****WPS No. 1243 of 2014**

Durgesh Vaishnav S/o Shri Devraj Vaishnav Aged About 42 Years
Lecturer (Panchayat) at Govt. High School Kulba, Block & P.S. Raigarh,
District Raigarh (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)

2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents

And

WPS No. 1245 of 2014

Bhikhari Lal Gupta S/o Shri Chandrashekhar Gupta Aged About 38 Years Lecturer (Panchayat) at Govt. Higher Secondary School Loing, Block & P.S. Raigarh District Raigarh (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents

And

WPS No. 1246 of 2014

Gopal Krishna Tripathi S/o Shri Purna Chand Tripathi Aged About 42 Years Lecturer (Panchayat) at Govt. High School Barliya, Block & P.S. Raigarh District Raigarh (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents

And

WPS No. 1247 of 2014

Rajesh Kumar Patel S/o Shri Ramcharan Patel Aged About 37 Years Lecturer (Panchayat) at Govt. Higher Secondary School Kondtarai, Block & P.S. Raigarh District Raigarh (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh (CG)
3. The Chief Executive Officer, Janpad Panchayat, Pusour, District Raigarh (CG)

---- Respondents

For Petitioners	:	Mr. Anil Mourya, Advocate in all cases
For Respondents	:	Mr. Yashwant Singh Thakur, Dy. Advocate General in all cases

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

27/10/2015

1. Learned counsel appearing for the parties would submit that the present batch of writ petitions are squarely covered by a decision of co-ordinate Bench rendered in the case of **Marisha Shrivastava v. State of Chhattisgarh & Another** {Writ Petition (S) No.106 of 2014}, decided on 26th September, 2014, in which his Lordship has dismissed all the writ petitions and held in paragraph 49 as under:-

“49 As a sequel, all the writ petitions, *sans substratum*, are liable to be and are hereby dismissed with the following conclusions :

Conclusions :

- Teacher (Panchayat) cadre initially appointed as Assistant Teacher (Panchayat), but later on joined as Teacher (Panchayat) as a fresh recruit are not entitled for counting their length of service on the lower post for the purpose of revision of pay scale

pursuant to the order dated 17-5-2013 read with the orders dated 4-12-2013 & 22-1-2014.

- Teacher (Panchayat) cadre are only entitled for pay scale similar to the Government Teachers.
- Teacher (Panchayat) cadre are entitled to Dearness Allowance only, they are not entitled for any other allowances like House Rent Allowance, Medical, Stagnation, etc.
- The revision of pay scales of Teacher (Panchayat) cadre pursuant to the order dated 17-5-2013 read with the orders dated 4-12-2013 & 22-1-2014 will be on the basis of the pay scale of the post held by them. Such revision is not to be made on the basis of Kramonnati Vetanman or Samayman Vetanman.
- The respondent/Panchayat, Rural Development and Labour, Government of Chhattisgarh shall direct all the Zila Panchayats/Janpad Panchayats and Drawing & Disbursing Officers working therein to apply the Government instructions uniformly, as different application by giving different interpretation to the Government orders have generated confusion and discrepancy giving rise to unnecessary litigations and loss to the exchequer.
- The State Government shall circulate copy of this order to all the Zila Panchayats & Janpad Panchayats for implementation.
- Henceforth, if any monetary benefit will be paid to any Teacher (Panchayat) cadre, for which he is not entitled shall be recoverable from the concerned Chief Executive Officer of the Zila Panchayat/Janpad Panchayat who has wrongly granted the benefit.

2. As agreed and stated by learned counsel appearing for the parties, the present writ petitions are finally disposed off in terms of paragraph 49 of the case of **Marisha Shrivastava** (supra). No order as to cost (s).

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

B/-