

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3751 of 2015**

Shiv Narayan Sahu S/o Shri Sudhe Ram Sahu, Aged About 59 Years  
Occupation Service, Working As Head Master At Schedule Caste And  
Schedule Tribe Government Middle School Achanakpur, Block Podi  
Uroda, Police Station Katghora, 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 Kroba  
(Chhattisgarh)
4. The Block Education Officer, Podi Uroda, District Korba  
(Chhattisgarh)

**---- Respondents**

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

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**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