

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 613 of 2013

- Dayaram Yadav S/o Vishwanath Prasad Yadav , Aged About 30 Years R/o Post Pipariyapara Sipat, Tah & Thana Podi-Uproda, Distt Korba, CG

---- Petitioner

**Versus**

1. State Of ChhattisgarhThrough Secretary, School Education Department, DKS Bhawan, Mantralaya, Raipur, Distt Raipur, Cg
2. Commissioner Tribal Welfare Department, Distt Korba, Cg
3. Assistant Commissioner Tribal Welfare Department, Distt Korba, Cg
4. Block Education Development Officer Pondi Uparoda, Distt Korba, Cg

---- Respondent

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| For Petitioner        | Mr. Mateen Siddique, Advocate |
| For Respondent /State | Mr. Majid Ali, Panel Lawyer   |

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**Hon'ble Shri Justice Prashant Kumar Mishra**  
**Order On Board**

26/2/2016

1. Heard.
2. The present writ petition under Article 226 of the Constitution of India has been preferred to claim salary for the period from 18<sup>th</sup> of July 2007 to 14<sup>th</sup> of November 2009.
3. It has been argued by learned counsel for the petitioner that during the said period, the petitioner was working under the Block Education Officer, Pondi Uparoda, District Korba.
4. The following has been averred in para 3 of the return filed by

the State :

“In reply to the contents of this part of the para 3 of the petition, it is humbly submitted that, by way of the present petition, the petitioner is alleging the action on the part of the Respondent No.4, who is not paying the wages to the petitioner. However, it is humbly submitted that, the office of the Answering Respondent No.4/the Block Education Officer, Podi Uroda, District Korba, has issued a letter on 02.04.2013 to the Assistant Commissioner, Tribal Welfare, District Korba regarding giving allotment of the fund into the “labour” head for payment to the petitioner of the labour wages from July 2007 till 14.11.2009 amounting to Rs.86,297/- and has calculated the total wages of the present petitioner. It is humbly submitted that as soon as, the fund is allotted by the Department in “labour” head, the said wages will be paid to the petitioner within a period of one month. A copy of the letter dated 02.04.2013 along with the calculation of the wages of the petitioner, is being annexed herewith as ANNEXURE R-1 for kind perusal of this Hon'ble Court. Therefore, in view of the facts and circumstances of the case and the submissions made by the Answering Respondents in the preceding paragraphs and also in view of the Annexure R/1, nothing remains in the present petition, as the grievances of the petitioner have already been on the way of redressal in view of the Annexure R/1.”

5. In view of the above stand of the State/respondent in its return, the writ petition is disposed of with a direction that if the payment has not already been made to the petitioner, the same shall be made within a period of 02 months from today.

Sd/-

Judge

**(Prashant Kumar Mishra)**