

HIGH COURT OF CHHATTISGARH, BILASPUR
WP (S) No.1168 of 2016

1. Ramkhilawan Nirmalkar, son of Shri Dulari Ram Nirmalkar, aged about 52 years, Occupation-Service, presently posted as Hostel Peon, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)
2. Bahuran Singh Khairwar, S/o Aadhar Singh Khairwar, aged about 41 years, Occupation-Service, presently posted as Hostel Peon, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)
3. Mohd. Javed S/o Mohd.Yunus, aged about 40 years, Occupation-Service, presently posted as Peon, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)
4. Ganesh Ram Sahu, S/o Laharu Prasad Sahu, aged about 52 years, Occupation-Service, presently posted as Hostel Chowkidar, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)
5. Deepak Kumar Patwa, S/o Resham Lal Patwa, aged about 40 years, Occupation-Service, presently posted as Hostel Chowkidar, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)

---Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Technical Education, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (CG)
2. Commissioner/Director, Directorate of Technical Education, Chhattisgarh, Block-3, Indravati Bhawan, Naya Raipur, District Raipur (CG)
3. Additional Director, Directorate of Technical Education, Chhattisgarh, Block-3, Indravati Bhawan, Naya Raipur, District Raipur (CG)
4. Principal, Government Polytechnic, Korba, District Korba (CG)

---Respondents

For Petitioners	:	Mr. Dhani Ram Patel, Advocate
For Respondents	:	Mr.S.P.Kale, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

21/04/2016

1. Learned counsel for the petitioners would submit that the petitioners were appointed by order dated 29/30.11.1999 on ad-hoc basis on the wages approved by the Collector and thereafter by order dated 18.8.2005 they were granted regular pay scale w.e.f. 1.8.2005.
2. Earlier, the petitioners had filed the writ petitions, which were decided on 17.12.2014 and pursuant to that, respondent No.4 by order dated 15.6.2015 disposed of the representations holding that the petitioners are entitled for regular pay scale.
3. Fact remains that regular pay scale was granted to the petitioners w.e.f. 1.8.2005, which they did not challenge for fairly long time and first time the writ petitions were filed on 12.12.2014. Order dated 18.8.2005 has become final by which regular pay scale has already been granted to the petitioners w.e.f. 1.8.2005 and at this point of time, no interference can be made to the order dated 1.8.2005 as the writ petition suffers from delay and laches.
4. Consequently, the writ petition has no force, same is liable to be and is hereby dismissed. No order as to cost(s).

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

B/-