

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2165 of 2016

- Ram Lala S/o Shri Purushottam Mannewar, Aged About 59 Years, Working as Head Master, Govt. Primary School, Pali, Educational District Sakti, P.S. Sakti, Civil & Revenue District Janjgir Champa (Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through the Secretary, School Education Department, Mantralaya New Raipur, P.S. Rakhi, District Raipur (Chhattisgarh)
2. Director, Public Instructions, Raipur (Chhattisgarh)
3. District Education Officer, Education District Sakti, District Janjgir Champa (Chhattisgarh)
4. The Joint Director, Treasury, Accounts, Pension Bilaspur, District Bilaspur (Chhattisgarh)

---- **Respondents**

Appearance

For the petitioner	:	Shri Jeet Patel, Advocate
For the Respondents/State	:	Shri Sangharsh Pandey, P.L.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

16/06/2016

Heard.

2. The petitioner was initially appointed as Assistant Teacher on a fixed pay of Rs.150/-. After completion of his probation period, he was granted regular pay scale of Rs.169-300/-.
3. Learned counsel appearing for the petitioner submitted that the issue involved in the case is as to whether the petitioner is entitled to regular pay scale with effect from the date of initial appointment or after completion of probation period.
4. The issue involved herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No.2745/89 (Madhukant Yadu and 56 others vs. State of M.P. & others), wherein it was held that the similarly situated

teachers are entitled to regular pay scale with effect from the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The appeal 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 the date of initial appointment.

5. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in **Amar Sai Ram & others v. State of Chhattisgarh & 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 the grievances, and in turn, the concerned respondent was directed to decide the representation in an objective manner within a period of 30 days from the date of receipt of the representation.
6. Accordingly, the petitioner is granted liberty to make a representation raising all grievances, and in turn, the concerned respondent is directed to decide the representation, if any, in accordance with law, on its own merits, within a period of eight weeks from the date of receipt of the representation, subject to verification of the facts.
7. In view of the foregoing, this petition is disposed of. No order as to costs.

Sd/-
(**Manindra Mohan Shrivastava**)
JUDGE