

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2318 of 2016

Mangal Prasad Jaiswal S/o Late Firtu Prasad Jaiswal, Aged About 57 Years R/o Village Amka, Post Pondi Bachara, Tahsil Khadgawa, District Koriya Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary, School Education Department Mantralaya, Naya Raipur District Raipur Chhattisgarh
2. District Education Officer, District Koriya Baikunthpur Chhattigarh
3. Treasury Account And Pension, District Koriya Chhattisgarh

---- Respondents

Shri Parag Kotecha, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/06/2016

The petitioner was initially appointed as Lower Division Teacher on a fixed pay. After completion of his probation period, he was granted regular pay scale.

2. 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.

3. 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 v. 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.

4. In view of the above stated submissions made by learned counsel for the parties, the writ petition is disposed off in the same terms i.e. the petitioner is granted liberty to make representation, if so advised, to consider his case, if he stand on the same footings as per order dated 24-08-1992 passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A.No.2745 of 89 ***Madhukant Yadu*** (supra) and subsequently confirmed by order dated 03-01-1994 passed by the Hon'ble Supreme Court in S.L.P.No.6892/1993 and grant relief accordingly.

5. No order as to costs.

Sd/-

(Manindra Mohan Shrivastava)
Judge