

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3255 of 2016

- Parikshit Meher S/o Vidyadhar Meher, Aged About 73 Years R/o Village Jhilmila, Post Saraipali, District Mahasamund (Chhattisgarh)
- Nripati Mirdha S/o Bahadur Mirdha, Aged About 73 Years R/o Village Patrapali, Post Saraipali, District Mahasamund (Chhattisgarh)

---- Petitioners

Versus

- State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur (Chhattisgarh)
- The Accountant General (Accounts & Pension) Chhattisgarh, Raipur (Chhattisgarh)
- The District Education Officer, Mahasamund (Chhattisgarh)
- The Block Education Officer, Saraipali, District Mahasamund (Chhattisgarh)

---- Respondents

For Petitioners : Mr. Kamlesh Kumar Pandey, Advocate
For State / : Mr. R.K. Gupta, Dy. Advocate General
Respondent Nos. 1, 3 & 4
For Respondent No.2 : Ms. Purnima Singh, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/07/2016

Heard finally with the consent of the learned counsel for the parties.

1. The petitioners have prayed for grant of upgradation pay scale as per circular dated 17.03.1999, 19.04.1999, 17.05.2000 and 28.07.2007.
2. Learned counsel for the petitioners would submit that although the petitioners have retired in the year 2004 & 2005 respectively, however, the upgraded pay scale has been sanctioned in favour of similarly situated retired Ayurveda Medical Officers and moreover

many persons, who have been sanctioned the upgraded pay scale, are junior to the petitioners. He would submit that the petitioners' cases remain pending with the authorities only on account of non availability of ACRs, for which the petitioners cannot be held responsible.

3. Considering the entire facts situation of the case, the writ petition is disposed with a direction that in the event, the petitioners prefer a fresh representation before the respondent No.1, within a period of 15 days from today, the said respondent shall consider and decide the petitioners' representations by a speaking order, at the earliest, preferably within a period of 3 months from the date of submission of representation.

Sd/-
(Manindra Mohan Shrivastava)
Judge