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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION No. 994 /2006

PETITIONER

R.R. No. 1070/06
Presented by C.P. Lahare
dated 27/2/06

Shri Panna Lal Banjare S/o Saheb
Lal Banjare, aged about - 64 years,
Occupation - Retired Head Master,
R/o Village - Sarseni, Post - Tikari,
P.S. & Tehsil Masturi, Distt.
Bilaspur.

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through - The Secretary Education
Department D.K.S. Bhawan Raipur.
(C.G.)
2. The Director,
Lok Shikshan Sanchalnalya
Raipur, Distt. Raipur (C.G.)

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PETITION UNDER ARTICLE 226/227 OF
THE CONSTITUTION OF INDIA



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HIGH COURT OF CHHATTISGARH, BILASPUR

WP No. 994 of 2006

- Shri.Panna Lal Banjare

---- Petitioner

Versus

- State Of Chhattisgarh & Ors.

---- Respondent

For Petitioner	:	Shri Paras Mani Shriwas, Advocate
For Respondents-State	:	Shri Rajendra Tripathi, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

13/12/2016

1. Petitioner is a retired Head Master of Vidyamandir School, Behramuda, block Kota, District Bilaspur, he has prayed for a direction to the respondent to provide benefit of pension as per the revised pay-scale as per the 5th pay commission (central pay scale) as also the retiral dues similar to the government employees.
2. It is argued that the vidyamandir schools are fully aided private schools, therefore, benefit of 5th pay-scale should be made admissible to the teachers working in the said school.
3. By circular dated 28.11.2006 (Annexure R-1) filed along with the return, the State Government has decided to grant benefit of 5th pay-scale w.e.f. 01.10.2006. It is also mentioned therein that the said benefit shall be admissible to such teachers and employees of fully aided non-government



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educational institutions who are already getting benefit of Revision of Pay Rules, 1990.

4. In view of the above circular, the writ petition is disposed of with direction that the petitioner may prefer representation before the Director, Public Instructions, Raipur, Chhattisgarh within a period of one month from today for seeking benefit of the pay-scale and the pension. On submission of such representation, the Director, Public Instructions shall decide the same in accordance with law, at the earliest, preferably within a period of three months from the date of submission of representation.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-
Prashant Kumar Mishra
Judge

Ashu