

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3258 of 2016

- Maheshwar Nande S/o Late Munu Mande, Aged About 73 Years
R/o Village Dumarpali, Saraipali, Tahsil Saraipali, District
Mahasamund Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mahanadi Bhawan, New Mantralaya, Naya Raipur
Chhattisgarh
2. The Accountant General, Accounts And Pension, Chhattisgarh,
Raipur, Chhattisgarh
3. The District Education Officer, Mahasamund Chhattisgarh
4. The Block Education Officer, Saraipali, District Mahasamund
Chhattisgarh

---- Respondents

For Petitioner : 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 petitioner has 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 petitioner would submit that although the petitioner has retired from the services with effect from 31.01.2005, 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 petitioner. He would submit that the petitioner's

case remain pending with the authorities only on account of non availability of ACRs, for which the petitioner 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 petitioner prefers a fresh representation before the respondent No.1, within a period of 15 days from today, the said respondent shall consider and decide the petitioner's representation 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