

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 1138 OF 2016

1. Smt. Vipti Bai W/o Chandra Prakash Gendley, Aged About 45 Years At Present Posted At Adivasi Kanya Ashram, Girvar, Block Gourela, District Bilaspur, (Chhattisgarh)
2. Bhagwat Prasad Bhardwaj, S/o Bhajo Ram Bhardwaj, Aged About 48 Years At Present Posted At Adivasi Balak Ashram, Kotmi Khured, Block Gourela, District Bilaspur, (Chhattisgarh)
3. Deepak Kumar Tiwari, S/o Lala Prasad Tiwari, Aged About 48 Years At Present Posted At Adivasi Balak Ashram, Tawadabara, Block Gourela, District Bilaspur, (Chhattisgarh)
4. Bhajan Lal Dahariya, S/o Hinchh Ram Dahariya, Aged About 45 Years At Present Posted At Middle School Lalpur, Block Gourela, District Bilaspur, (Chhattisgarh)
5. Jawahar Lal Amaltas, S/o Bahoran Lal, Aged About 48 Years At Present Posted At Anusuchit Jati Kanya Chatrawas Gourela, Block Gourela, District Bilaspur, (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through: The Secretary, Department Of Tribal Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Commissioner, Tribal Welfare And Development, Raipur, (Chhattisgarh)
3. Assistant Commissioner, Tribal Welfare And Development, Bilaspur, (Chhattisgarh)
4. Collector, (Tribal Welfare And Development), Bilaspur, (Chhattisgarh)
5. District Coordinator, Tribal Welfare Department,

Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioners	:	Mr. B.P. Banjare, Advocate
For State	:	Mr. Arun Sao, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/04/2016

1. Grievance of the petitioner in the instant writ petition is that the petitioners along with one Keshav Prasad Koushik were appointed in the department of respondents as contingency paid employee. The dispute of the petitioners is that the said Keshav Prasad Koushik who was appointed with the petitioners was regularized and given salary on the basis of equal pay and equal work. However, the petitioners have also been regularized on 9.9.2008 but for some reasons the salary has not been paid on the basis of equal pay and equal work to the petitioners.

2. Counsel for the petitioners would submit that the petitioners have been repeatedly approaching the respondents on this issue seeking the benefits at par with

the person who had been appointed along with the petitioners but the respondents have not decided the case of the petitioners till date.

3. State counsel, at this juncture, submits that in case the representation of the petitioners have not been decided by the respondents, the same shall be considered by the Authorities. He further submits that if the petitioners want, they may also make a fresh representation to the respondents in respect of his grievance giving details of his claim along with documentary evidence if any, and the same shall be considered by the concerned Authorities in accordance with the rules.

4. Accordingly, the writ petition is disposed of with a direction to the petitioners to approach the respondents within a period of two weeks from today by making a detailed representation in respect of their claim along with documentary proofs, if any and on receipt of the same, the Authorities concerned shall take a prompt decision taking into consideration the benefits which have been

granted to the similarly placed persons.

5. This court has not expressed any opinion on the merits of the case the authority concerned is free to decide the representation of the petitioners on its own merit in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

Tiwari