

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (S) No.1163 of 2016**

Sunder Singh Khairwar, S/o Late Shri Baldeo Prasad Khairwar, aged about 39 years, Occupation-Servide, presently posted as Hamal, Govt. Polytechnic College, Korba, Civil & Revenue District Korba (CG)

---Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Technical Education, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (CG)
2. Commissioner/Director, Directorate of Technical Education, Chhattisgarh, Block-3, Indravati Bhawan, Naya Raipur, District Raipur (CG)
3. Additional Director, Directorate of Technical Education, Chhattisgarh, Block-3, Indravati Bhawan, Naya Raipur, District Raipur (CG)
4. Principal, Government Polytechnic, Korba, District Korba (CG)

---Respondents

For Petitioner	:	Mr. Dhani Ram Patel, Advocate
For Respondents	:	Mr.S.P.Kale, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

21/04/2016

1. Learned counsel for the petitioner would submit that the petitioner was appointed by order dated 25.8.1999 on ad-hoc basis on the wages approved by the Collector and thereafter by order dated 18.8.2005 he was granted regular pay scale w.e.f. 1.8.2005.
2. Earlier, the petitioner had filed the writ petition being WP (S) No.6678 of 2014, which was decided on 23.12.2014 and pursuant to that,

respondent No.4 by order dated 15.6.2015 (Annexure P/5) disposed of the representation holding that the petitioner is entitled for regular pay scale.

3. Fact remains that regular pay scale was granted to the petitioner w.e.f. 1.8.2005, which he did not challenge for fairly long time and first time the writ petition was filed on 18.12.2014. Order dated 18.8.2005 has become final by which regular pay scale has already been granted to the petitioner w.e.f. 1.8.2005 and at this point of time, no interference can be made to the order dated 1.8.2005 as the writ petition suffers from delay and laches.

4. Consequently, the writ petition has no force, same is liable to be and is hereby dismissed. No order as to cost(s).

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

B/-