

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.5404 of 2016

1. Ramratan Kashyap, S/o Shri Bahoranram Kashyap, aged about 50 years, R/o Village Pathgawa, Block Pendra, Distt. Bilaspur (C.G.), presently posted as Labour at Govt. Gurukul School, Pendraroad, District Bilaspur (C.G.)
2. Lal Chand Kashyap, S/o Shri Arajhram Kashyap, aged about 50 years, R/o Village Kudkai, Block Pendra, presently posted at Pre-Metric Adiwasi Balak Chhatrawas, Kodgar, District Bilaspur (C.G.)
3. Shri Kalyan Singh Shyam, S/o Shri Sher Singh Shyam, aged about 54 years, R/o Village Gourela, Block Gourela, Distt. Bilaspur (C.G.), presently posted at Govt. Gurukul School, Pendraroad, District Bilaspur (C.G.)
4. Shri Laxmi Prasad Sahu, S/o Rameshwar Prasad Sahu, aged about 50 years, R/o Village Son Bacharwar, Block Pendra, Distt. Bilaspur (C.G.), presently posted at Adiwasi Balak Ashram, Sonkund, District Bilaspur (C.G.)
5. Runibai, W/o Nishtar Kispota, aged about 54 years, R/o Village Pendra, Block Pendra, Distt. Bilaspur (C.G.), presently posted at Pre-Metric Adiwasi Kanya Chhatrawas, Sonkund, District Bilaspur (C.G.)
6. Pusauram, S/o Late Samaru, aged about 46 years, R/o Village Kurdar, Block Kota, Distt. Bilaspur (C.G.), presently posted at Adiwasi Balak Ashram, Kurdar, Block Kota, District Bilaspur (C.G.)

---- Petitioners

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Tribal Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. Commissioner, Tribal Welfare and Development, Raipur, Distt. Raipur (C.G.)
3. Assistant Commissioner, Tribal Welfare and Development, Bilaspur (C.G.)
4. Collector (Tribal Welfare and Development), Bilaspur (C.G.)

5. District Coordinator, Tribal Welfare Department, Bilaspur (C.G.)
---- Respondents

For Petitioners: Mr. Yogendra Chaturvedi, Advocate.
For Respondents/State: Mr. Prasun Kumar Bhaduri, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/10/2016

1. Grievance of the petitioners in the instant writ petition is that the petitioners along with one Keshav Prasad Koushik were appointed in the Department of the respondents as contingency paid employees. Dispute of the petitioners is that 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 reason, salary has not been paid to them on the basis of equal pay and equal work.
2. Learned counsel appearing for the petitioners would submit that the petitioners have been repeatedly approaching the respondents on this issue seeking 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. Learned State counsel, at this juncture, would submit that in case the representations of the petitioners have not been decided by the respondents, the same shall be considered by the Authorities. He would further submit that if the petitioners

want, they may also make a fresh representation to the respondents in respect of their grievance giving details of their 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 prompt decision taking into consideration the benefits which have been granted to the similarly placed persons. No order as to cost(s).
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