

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1110 OF 2017

Harishankar Dewangan S/o Shri Rambharos Dewangan, Aged About 52 Years
Working As Assistant Grade-II, At Govt. Higher Secondary School Khadgaon,
Tahsil Dharamjaigarh, District Raigarh (Chhattisgarh)

... Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary/Deputy Secretary, Department Of Education, Mahanadi Bhawan, New Mantralaya, New Raipur (Chhattisgarh)
2. District Education Officer, Raigarh, District Raigarh (Chhattisgarh).
3. Block Education Officer, Dharamjaigarh, Tahsil Dharamjaigarh, Distt. Raigarh (Chhattisgarh)
4. The Principal, At Govt. Higher Secondary School Hati, Tahsil Dharamjaigarh, Distt. Raigarh (Chhattisgarh)
5. Shri Jagat Ram Gupta, Assistant Grade-II cum Incharge Of Attendance Registrar and LPC Section, At Govt. Higher Secondary School Hati, Tahsil Dharamjaigarh, District Raigarh (Chhattisgarh)
6. The Principal, At Govt. Higher Secondary School Khadgaon, Tahsil Dharamjaigarh, Distt. Raigarh (Chhattisgarh)
7. The Principal, (Drawing Disbursing Authority Of Salary) At Govt. Higher Secondary School Boys, Dharamjaigarh, Tahsil Dharamjaigarh, Distt. Raigarh (Chhattisgarh)

... Respondents

For Petitioner	:	Mr. R.S. Patel, Advocate.
For Respondent-State	:	Mr. S.P. Kale, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/03/2017

1. The short point involved in the present writ petition is, non-granting of salary to the Petitioner from September, 2016 onwards.
2. Contention of the Counsel for the Petitioner is that in September, 2014 the Petitioner was posted at Kansabel, District Jashpur and was working as Assistant Grade-II in the office of Block Education Officer, Block Kansabel, District Jashpur. Subsequently, in September, 2016, he was transferred from Kansabel to the Government Higher Secondary School, Hati, Block Dharamjaigarh, District Raigarh, which was immediately complied by the Petitioner. Later on, the Petitioner further was transferred from Government

Higher Secondary School, Hati to the Government Higher Secondary School, Khadgaon, Block Dharamjaigarh, District Raigarh. The said order was also complied with by the Petitioner and he has resumed his duties at Khadgaon. However, since the time of his transfer from Hati in September, 2016, he has not been paid his salary, on account of the fact that his Last Pay Certificate was not promptly sent from the Kansabel where he was initially posted prior to September, 2016.

3. This Court does not intend to enter into the merits of the case and the petition is disposed of, with a direction to Respondent No.2 - District Education Officer, Raigarh, to promptly look into the case of the Petitioner and necessary instructions may be issued for calling the Last Pay Certificate of the Petitioner and thereafter to verify whether in fact he has discharged his duties during the intervening period or not and in case if he has discharged, the salary of the said period may be forthwith released to the Petitioner. Let this exercise be completed by the District Education Officer, Raigarh, within a period of 60 days from the date of the Petitioner presenting the certified copy of this order before the District Education Officer, Raigarh.

4. With the aforesaid direction, the writ petition finally stands disposed of.

Sd/-
(P. Sam Koshy)
Judge