

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6793 of 2017

Surendra Kumar Gautam S/o Late Shri Haricharan Lal Gautam, Aged About 62 Years Post Pharmacist (Retired), R/o Village Netanar, Goriyapal Para, Post Netanar, Block Bastar, Tahsil Jagdalpur, District Bastar, Chhattisgarh
---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health & Family Welfare, Ministry, Mahanadi Bhavan, New Raipur, District Raipur, Chhattisgarh
2. The Director, Directorate Of Ayurved, Yoga & Prakritik Chikitsa Yunani Siddha Evam Homeopathic (Ayush), Old Nursing Hostel, Near D.K.S. Building, Raipur, District Raipur, Chhattisgarh
3. The District Ayurved Officer, Kumharpara, Jagdalpur, District Bastar, Chhattisgarh
---- Respondents

For Petitioner	:	Mr. A.K. Dewangan, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/12/2017

Heard.

1. Learned counsel for the petitioner submits that the petitioner was appointed as Compounder (later on re-designated as Pharmacist) in the services of Department of Health and Family Welfare in the year 1983 and retired on 31.08.2017 upon attaining the age of superannuation.
2. It is submitted that in the entire service period, the petitioner did not receive any promotion because of lack of promotional avenue. Therefore, it is submitted, the Government scheme of granting higher pay scale after completion of 12 and 24 years of service, would be applicable to him. The petitioner has been granted only one scale promotion and the second scale promotion had become due for grant under the circular Annexure P/2 after

completion of 24 years of service.

3. It is found that the petitioner's claim has not been decided, till date. Therefore, the respondent is directed to examine the petitioner's entitlement under circular dated 28.04.2008 and other instructions governing claim for grant of second higher pay scale to those employees, who have not received any promotional benefit of higher post and remained stagnated in their service career.

4. Considering that the petitioner has now retired from service, it could be in fitness of things to direct consideration of representation within an outer limit of three months from the date of receipt of copy of this order.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha