

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1576 of 2017

1. Malik Singh Paikara S/o Jevan Singh Paikara Aged About 64 Years
Occupation- Retired Teacher, R/o - Village- Jatadevri, Post-
Amadand, P.S. & Tahsil- Pendra, District- Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Secretary, School Education
Department, Mahanadi Bhawan, New Mantralaya, Raipur,
Chhattisgarh
2. State Of Chhattisgarh, Through- Secretary, Tribal Welfare
Department, Mahanadi Bhawan, New Mantralay, Raipur,
Chhattisgarh
3. District Education Officer, Bilaspur, District-Bilaspur, Chhattisgarh
4. Collector, District- Bilaspur, Chhattisgarh

---- Respondent

For Petitioner	Shri Neeraj Choubey, Advocate
For Respondent/State	Shri S.P. Kale, Dy. Adv. General

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

25/04/2017

1. Shri Neeraj Choubey, learned counsel for the petitioner, would submit that the petitioner has retired from the post of Head Master, however, he is entitled to same relief, which has been allowed to several other similarly placed teachers. One of them being WPS No.3138 of 2013 (Ravindra Kumar Kanwar v. The State of Chhattisgarh & Others) decided on 27-9-2013, who have been granted regular pay scale from the date of initial entry into the service.

2. Petitioner's appointment order (Annexure – P/1) indicates that he was appointed on fixed pay of Rs.100/- and thereafter, he was made entitled for regular pay scale for one or two years of service.
3. Since several similarly placed teachers have been granted the benefit of regular pay scale from the date of initial appointment, the present writ petitioner is also entitled to make representation raising his grievances regarding grant of regular pay scale from the date of initial appointment and thereafter the concerned Department is directed to decide the representation, in accordance with law and on its own merits within a period of three months from the date of submission of fresh representation by the petitioner.
4. Based upon the decision of his representation concerning grant of regular pay scale from the initial date of appointment, petitioner's pension shall be finalised and the petitioner shall not be compelled to prefer any writ petition for seeking pension.
5. It is also made clear that if for any reason petitioner's pension case is not finalised within a reasonable time after the decision on his representation, as indicated above, the petitioner shall straightaway approach the Pension Redressal Committee for a decision on his pay fixation and other retiral dues.
6. With the aforesaid observations and directions, the writ petition stands disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Gowri