

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 520 of 2007**

- Appa Rao Thite S/o Late Shri Sadashiv Thite, aged about 63 years, occupation retired Senior Sports Officer, resident of near Chhoti Maszid Risai Para Dhamtari, Tahsil and District Dhamtari (CG)

---- Petitioner

Versus

1. State Of Chhattisgarh, through the Secretary, Higher Education, Mantralay, DKS Building, Raipur (CG)
2. The Commissioner, Directorate of Higher Education, State of Chhattisgarh, Government Science College Premises, Raipur, Tahsil and District Raipur (CG)
3. Principal, Government Post Graduate College, Dhamtari, Tahsil and District Dhamtari (CG)

---- Respondent

For Petitioner
For Respondent /State

Mr. Manoj Paranjpe, Advocate
Mr. R. Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

3/5/2017

1. Heard.
2. The petitioner is a retired Sports Teacher. He is claiming Selection Grade Pay Scale w.e.f 19.09.1988. The claim is based on the plea that similarly placed Sports Teachers namely Raj Kamal Mishra and SA Joshi were allowed the said pay scale on completion of 16 years of service, even though, they did not undergo 02 refresher courses, therefore, the Selection Grade Pay Scale could not have been denied to the petitioner on the

ground that as on 19.09.1988, the petitioner had not completed 02 refresher courses.

3. Learned counsel for the State would vehemently oppose the writ petition on submission that as per the Policy, a candidate is not entitled to grant of Selection Grade Pay Scale unless he has undergone two refresher courses, which the petitioner completed only in the year 2002. Therefore, immediately on such completion, the petitioner was allowed Selection Grade Pay Scale w.e.f. 27.07.1998.
4. Despite assertion by the petitioner that other Sports Teachers named above were allowed Selection Grade Pay Scale even without undergoing 02 refresher courses and the return is silent on the said aspect of the matter, instead of keeping this petition pending, ends of justice would be served, if the petitioner is directed to prefer fresh representation before the State Government within a period of one month from today.
5. It is ordered accordingly.
6. It is further directed that on filing of such representation within the aforesaid period, the State Government shall consider and decide the representation in accordance with law by a speaking order within a period of 03 months thereafter. The State Government shall also consider the issue of parity raised by the petitioner.
7. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall

decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

8. The writ petition is accordingly disposed of. Sd/-

Judge

(Prashant Kumar Mishra)

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