

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT CASE (Civil) No. 310 of 2014

1. Smt. Kavita Das, W/o Shri Ravindra Jataria, aged about 46 years, resident of Behind Science College, Near Ravi Shankar University Colony, Raipur (PO & PS) Raipur, District Raipur, CG
2. Dr. Purnima Mishra, W/o Shri Shailesh Kumar Mishra, aged about 51 years, resident of Quarter No. F-4/B, AC Colony Raipur (PO & PS) Raipur, District Raipur, CG
3. Smt. Suneeta Patra, W/o Dr. P.K. Patra, aged about 48 years, resident of Professor Colony, Sector - I Street No. 4, Raipur (PO & PS) Raipur, District Raipur, CG
4. Harsh Sharma, son of late Saral Kumar Sharma, aged about 54 years, resident of H No. 52, Vivekanand Nagar, Raipur, (PO & PS) Raipur, District Raipur, C G
5. Dr. Sunayana Mishra W/o Mr. Jagdish Mishra, aged about 54 years, resident of H No. 17/901, Guru Govind Nagar, Opp. New Bus Stand Raipur (PO & PS) Raipur, District Raipur, CG
6. Mrs. Shilpi Bose, W/o Shri A.K. Bose, aged about 46 years, resident of A-5, Palash, Corner Basant Vihar, Mahaveer Nagar, Raipur (PO & PS) Raipur, District Raipur, CG

---- Petitioners

Versus

1. Shri M.K. Raut S/o (Secretary Earlier), Secretary, Department of Higher Education, at Present Secretary Panchayatraj, Mahanadi Bhawan, Govt. of Chhatisgarh, Mantralaya, New Raipur, Distt. Raipur C.G.
2. C.K. Khetan (Secretary Earlier), Secretary, Department of Higher Education, at Present Joint Secretary, Govt. of India, New Delhi.
3. R.C. Sinha (Secretary Earlier), Secretary, Department of Higher Education, Mahanadi Bhawan, New Raipur, Distt. Raipur C.G.
4. B.L. Agrawal (Secretary Presently), Department of Higher

Education, Govt. of Chhattisgarh, Mahanadi Bhawan, Mantralaya,
New Raipur, Distt. Raipur C.G.

----- Respondents

For Petitioners	:	Shri L.C. Patne, Advocate
For Respondents	:	Shri Kishore Bhaduri, Advocate

Hon. Shri Justice Pritinker Diwaker &

Hon. Shri Justice Rajendra Chandra Singh Samant

Order on Board by P. Diwaker, J

09/02/2017

According to the petitioners though they were appointed as Assistant Professors on emergency basis way back in the year 1986, 1987 and 1989 but till date they have not been granted the benefit of grade pay scale and super time pay scale from the date of their initial appointment.

2. Counsel for the petitioners submits that the petitioners are fighting litigation after litigation since 2006 but despite the undertaking given by the topmost State authorities, they have not received the actual benefit. He submits that though on the face of the record contempt case is clearly made out against some of the respondents but considering the fact that subsequent to filing of present contempt petition, order dated 22.9.2015 has been passed in a bunch of petitions (leading one being WPS 785/2015) and therefore he may be permitted to withdraw this contempt petition with liberty to file a fresh petition seeking redressal of grievances, if occasion arises.

3. Counsel for the respondents however submits that the State Government has filed WA No. 506/2006 against the order dated 22.9.2015 passed in WPS No. 785/2015 and other connected matters which have been decided by this Court granting benefit to the petitioners from the date of their initial appointment. He submits that

instead of contesting the present contempt petitions, the petitioners have the other remedy available for redressal of their grievances. Shri Bhaduri however submits that *prima facie* no contempt is made out against the respondents and the petitioners are wrongly interpreting the order passed by this Court.

4. Be that as it may, the petitioners are permitted to withdraw this contempt petition with liberty to file a fresh petition seeking redressal of their grievances, if occasion arises. Contempt petition is accordingly dismissed as withdrawn.

Sd/-

(Pritinker Diwaker)

Judge

Sd/-

(RCS Samant)

Judge