

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3200 of 2017

1. Sumant Das Tandan S/o Late Shri Bhukhau Das Tandan Aged About 55 Years Posted At Govt. Pre- Metric Schedule Caste Boys Hostel Berla, District Bemetara, R/o Ward No. 10 Nagar Panchayat Berla, Tehsil & Police Station- Berla, District Bemetara, Chhattisgarh.
2. Ramanand Sonwani S/o Shri Ghanshyam, Aged About 51 Years Posted At Govt. Pre- Metric Schedule Caste Boys Hostel Berla, District Bemetara, R/o Village Mudpar, Post Gondgiri, Tahsil/ Police Station Berla, District Bemetara, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal Welfare & Development Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Commissioner, Tribal Welfare And Development, Department Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. Assistant Commissioner, Tribal Welfare And Development, Department Bemetara District Bemetara, Chhattisgarh.
4. Collector, (Tribal Welfare And Development), Bemetara, District Bemetara, Chhattisgarh.
5. District Coordinator, Tribal Welfare And Development, Department Bemetara District Bemetara, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri B.P. Banjare, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

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

Order On Board

20/07/2017

Heard.

1. The present petition under Article 226 of the Constitution of India has been filed for a direction to the respondents to grant regular pay-scale to the petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.

2. Learned counsel for the petitioners submits that the petitioners are in employment since 01.07.1992 and 12.08.1992 and therefore they are entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons whose services were also regularized in the State Government in the year 2008. He refers to an order dated 10.03.2015 stating that the said order is in respect of identically placed persons.
3. At this juncture, learned State counsel submits that it would be better if the petitioners file detailed fresh representation to respondent no.2 along with all relevant documents in support of their claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the Authority respondent no.2 shall decide the same within a further period of three months from the date of receipt of the representation.
4. The proposal of the State counsel is acceptable to the counsel for the petitioners.
5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent no.2 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.2 shall dispose of the same within a period of 90 days from the date of receipt of the representation.
6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioners is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.
7. No order as to costs.

Sd/-
(Manindra Mohan Shrivastava)
Judge