

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6476 of 2017**

1. Shesh Kumar S/o Shri Tulsay Aged About 38 Years
Occupation Pump Operator, Contingency Paid Employee,
In Pre Metric Tribal Boys Hostel, Nawaparakala,
Premnagar, District Surajpur Chhattisgarh
2. Om Prakash S/o Shri Ujiyar Aged About 28 Years
Occupation Post Peon Coningency Paid Employee, in Pre
Metric Tribal Boys Hostel, Premnagar, District Surajpur
Chhattisgarh
3. Jagan Singh S/o Late Heeralal, Aged About 35 Years
Occupation Pump Operator, Coningency Paid Employee,
In Pre Metric Tribal Boys Hostel, Koteya, Premnagar,
District Surajpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, S. C. S. T.
Development Department, Mahanadi Bhawan, New
Mantrayala, District Raipur Chhattisgarh.
2. State Of Chhattisgarh Through Secretary, General
Administration Department, Mahanadi Bhawan, New
Mantrayala, District Raipur Chhattisgarh.
3. State Of Chhattisgarh Through Secretary, Tribale Education
Department , Mahanadi Bhawan, New Mantrayala, District
Raipur Chhattisgarh.
4. The Commissioner, Tribale Development Department,
Surajpur District Surajpur Chhattisgarh
5. The Collector, Surajpur District Surajpur Chhattisgarh
6. The Block Education Officer, Block Premnagar, District
Surajpur Chhattisgarh.
7. The Chief Executive Officer, Janpad Panchayat,
Premnagar, District Surajpur Chhattisgarh.

---- Respondent

For Petitioners	Shri Sunil Tripathi, Advocate.
For Respondents	Ms K. Tripti Rao, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

28/11/2017

1. Learned counsel for the petitioners would draw attention of the Court to the order passed by the Assistant Commissioner Tribal Development, Ambikapur, under approval of Collector Ambikapur, on 06.02.2008 whereby the non regularization Peons have been granted salary on the Collector Rate, however, the same benefit is not extended to the petitioner. Even though, he is also working in the Pre-metric Tribal Boys Hostel in the same department on daily wages which is proved from the resolution passed by the Janpad Panchayat recommending his regularization vide Annexure P-1. He would submit that the payment of wages on different rate to similarly placed class-IV employees is arbitrary.
2. Considering the limited issue brought before this court, ends of justice would be served, if the petition is disposed of with a direction that in the event, petitioners moves a representation before the Collector Surajpur claiming salary on the Collector Rate as has been extended to other similarly placed Peons vide Annexure P-6, within a period of 4 weeks from today, the said Collector shall consider and decide the petitioners' representation objectively, by speaking order, at the earliest preferably

within a period of 3 months from today on submission of representation.

3. Accordingly, the writ petition is disposed of with the liberty aforesaid.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh