

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 1311 of 2017**

1. Alam Das Kaushale S/o Patarakhan Das, aged about 55 years, Posted at Govt. Pre-Metric Schedule Caste Boys Hostel Temari, R/o Village Parsada, Post Nagadha, P. S. Navagarh, District Bemetara (Chhattisgarh).
2. Awadh Ram Matre S/o Late Govinda Matre, aged about 40 years posted at Govt. Pre-Metric Schedule Caste Boys Hostel Temari, R/o Village Lohadgiya, Post Narayanpur, Tahsil Navagarh, District Bemetara (Chhattisgarh).

---- Petitioners**Versus**

1. State of Chhattisgarh through : the Secretary, Department of Tribal Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
2. Commissioner, Tribal Welfare and Development, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
3. Assistant Commissioner, Tribal Welfare and Development, Bemetara, District Bemetara (Chhattisgarh).
4. Collector (Tribal Welfare and Development), Bemetara, District Bemetara (Chhattisgarh).
5. District Coordinator, Tribal Welfare Department, Bemetara, District Bemetara (Chhattisgarh).

---- Respondents

For Petitioners	:	Shri B. P. Banjare, Advocate
For Respondents/State	:	Shri Garry Mukhopadhyay, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17/03/2017**

Heard.

2. 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.

3. Learned counsel for the petitioners submits that the petitioners are in employment since 30.06.1992 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.

4. At this juncture, learned State counsel submits that these orders are not on record and therefore, 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.

5. The proposal of the State counsel is acceptable to the counsel for the petitioners.

6. 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.

7. 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.

8. No order as to costs.

Sd/-
(P. Sam Koshy)
JUDGE