

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4305 of 2016**

1. Lakhan Lal Jaiswal S/o Shri Chhandu Ram Jaiswal Aged About 55 Years Upper Division Teacher Govt. Middle School Gangouti, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh
2. Rm Gopal Choubey, S/o Shri Gajanand Choubey, Aged About 55 Years Upper Division Teacher Govt. Middle Secondary School Gangouti, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh
3. Nigam Dev Pandey S/o Shri Keval Pandey, Aged About 55 Years Upper Division Teacher Govt. Hr. Secondary School Gangouti, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh
4. Ram Sewak Kanshi, S/o Shri Baban Ram, Aged About 57 Years Lecturer Govt. Hr. Sec. School Badsara, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh
5. Ramnarayan Singh, S/o Shri Singal Singh, Aged About 55 Years Head Master, Govt. Primary School Gangouti, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh
6. Banarsi Ram Kushwaha, S/o Shri Late Foolchand Ram, Aged About 55 Years Head Master, Govt. Primary School Makhira, Post & Thana Bhaiyathan, District Surajpur Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department Mahanadi Bhawan, New Raipur Chhattisgarh
2. District Education Officer, Surajpur, Distirct Surajpur Chhattisgarh

---- Respondents

For Petitioners	:	Shri Somkant Verma, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****17/01/2017**

Heard.

The petitioners were initially appointed as Assistant Teachers on a

fixed pay of Rs.150/-. After completion of their probation period, they were granted regular pay scale.

2. Learned counsel appearing for the petitioners submitted that the issue involved in the case is as to whether the petitioners are entitled to regular pay scale with effect from the date of initial appointment or after completion of probation period.

3. The issue involved herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A.No.2745/89 (***Madhukant Yadu and 56 Others v. State of M.P. & others***), wherein it was held that the similarly situated teachers are entitled to regular pay scale with effect from the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The appeal was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from the date of initial appointment.

4. In view of the above stated submissions made by learned counsel for the parties, the writ petition is disposed off in the same terms i.e. the petitioners are granted liberty to make a representation, if so advised, to consider their case, if they stand on the same footings as per order dated 24-08-1992 passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A.No.2745 of 89 ***Madhukant Yadu*** (supra) and subsequently confirmed by order dated 03-01-1994 passed by the Hon'ble Supreme Court in S.L.P.No.6892/1993 and grant relief accordingly.

5. No order as to costs.

Sd/-

(Manindra Mohan Shrivastava)
Judge