

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3080 of 2015

1. Ashok Sharma S/o Shri Premlal Sharma Aged About 61 Years Occupation-Service, Presently Working As Revenue Officer In Municipal Corporation, Bilaspur, R/o-Bangalipara, Chitrangan Marg, New Sarkanda, Bilaspur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Urban & Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. Municipal Corporation Bilaspur, Through Its-Commissioner, Municipal Corporation Bilaspur (Chhattisgarh)

---- Respondent

For Petitioner
For Respondent/State
For Respondent No.2

Shri Neeraj Choubey, Advocate
Shri S.P. Kale, Dy. Govt. Advocate
Shri A.S. Kachhawaha, Advocate

Shri Saumil Ranjan Chaubey,
Commissioner, Municipal Corporation,
Bilaspur and Shri Piyush Prasad, Deputy
Director, Local Fund Audit, Bilaspur are
also present.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

15/05/2017

1. Petitioner has claimed issuance of direction to the respondents to provide benefit of first & second time bound higher pay scale in terms of order Annexure – P/2 which is not executed pursuant to

the objection raised by the Deputy Director, Local Fund Audit. Petitioner has also prayed for a direction to the respondent Corporation to constitute a Departmental Promotion Committee (DPC) for consideration of his case for promotion to the post of Deputy Commissioner.

2. On the last date of hearing, this Court had directed the Deputy Director, Local Fund Audit, Bilaspur, to examine as to why the petitioner is held not entitled for time bound pay scale when other similarly placed officers holding promotion post in the Municipal Corporation have been allowed such benefit pursuant to the order dated 7/13-3-2013.
3. Today Shri Saumil Ranjan Chaubey, Commissioner, Municipal Corporation, Bilaspur and Shri Piyush Prasad, Deputy Director, Local Fund Audit, Bilaspur are present.
4. Shri Prasad would submit that by inadvertence the provisions contained in Section 3 (2) of the Municipal Corporation Act, 1956 could not be adverted to at the time of considering the petitioner's case, however, on careful examination it is found that the petitioner is also entitled for time bound pay scale in terms of the order Annexure – P/1.
5. In view of the statement made by Shri Piyush Prasad, Deputy Director, Local Fund Audit, Bilaspur, the Municipal Corporation,

Bilaspur, is directed to implement the order Annexure – P/1 in favour of the petitioner within a period of one month from today.

6. For the second part of relief wherein the petitioner is claiming constitution of DPC, he shall make a detailed representation before the Commissioner, Municipal Corporation, Bilaspur, which shall be examined and necessary action shall be taken by the Corporation in accordance with law at the earliest.
7. Accordingly, the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri