

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3501 of 2015**

- Pradip Mohanty S/o Shri Ashutosh Mohanty, Aged About 58 Years R/o Industrial Training Institute Colony, Bastar, Tahsil And District Bastar Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Ministry Of Schedule Tribe And Schedule Caste Development, (Adim Jati Tatha Anushuchit Jati Vikash), Mantralaya, Mahanadi Bhawan, Raipur Chhattisgarh
2. Director, Directorate Man Power Planning (Employment And Training), Indravati Bhawan, Raipur Chhattisgarh
3. Secretary, Skill Development, Technical And Education Mantralaya, Raipur Chhattisgarh

---- Respondent

For Petitioners	Ms.Ranjana Jaiswal, Advocate.
For Respondents	Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/11/2017**

1. Petitioner was originally appointed as Lower Division Teacher in the Department of Schedule Tribe Development, Dantewada. Till 1999, the petitioner continued in the Department of Tribal Development, however, an order dated 09.04.1999 was passed by the

Divisional Deputy Commissioner Tribal Development, Bastar, absorbing the petitioner on the post of (Instructor) in ITI, Bastar. This order was issued as per instructions contained in the order passed by the Commissioner Tribal Development, Bhopal on 19.02.1999 which, in turn, was issued on the basis of proposal by the Principal, Industrial Training Institute, Bastar on 24.10.1998 and 11.01.1999. Thus, on an after 09.04.1999, the petitioner is working in the Department of Man Power and Planning.

2. The petitioner's difficulty is that both the departments are not treating him to be its employee, resultantly, the petitioner is not getting the benefit of Kramonati/Time Scale Pay from any of the department. It is informed by learned counsel for the petitioner that petitioner's name is not included in the gradation list issued by either of the department.
3. Be that as it may, since the petitioner is on the verge of retirement, his legitimate dues in form of Kramonati/Time Scale Pay and fixation of pension etc. needs to be resolved at the earliest.
4. Let the petitioner move fresh representation addressed to the Secretaries of Department of Tribal Development and the Department of Man Power and Planning within a period of 4 weeks from today. Both the Secretaries shall hold meeting and consult with each other and take a decision in the matter objectively and pass a reasoned order at the earliest preferably within a period of 6 weeks from the date of submission of representation. Petitioner shall also annex copy of this order with the representation. If the decision is not taken within the time allowed by this

Court, it will be viewed seriously, if any contempt petition is filed by the petitioner.

5. Accordingly, the writ petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh