

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (S) No. 155 of 2017**

Indrakrit Singh, S/o Kamta Prasad Singh, aged about -35 years, working as Lecturer Panchayat at Boys Government Higher Secondary School-Darima Police Station Darima, Tahsil – Ambikapur, District Surguja (C.G.)

---- **Petitioner**

Versus

1. State of Chhattisgarh, Through Secretary Tribal Welfare Department Mantralaya Capital Complex, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)
2. Collector (Ambikapur), District Surguja (C.G.)
3. District Education Officer, Ambikapur, District Surguja (C.G.)
4. Chief Executive Officer, Zila Panchayat-Ambikapur, District Surguja (C.G.)
5. Assistance Commissioner, Tribal Department, Ambikapur, District Surguja (C.G.)
6. Jermina Kindo, Presently posted as Prinicipal at Boys Government Higher Secondary School, Darima, Police Station – Darima, Tahsil – Ambikapur, District Surguja (C.G.)

---- **Respondents**

For Petitioner	: Shri A.K. Yadav, Advocate.
For Respondents/State	: Shri Gary Mukhopadhyaya, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/01/2017

Heard.

(1) Instant writ petition under Article 226 of the Constitution of India has been filed seeking direction to respondents authorities for promptly sending confidential report of the petitioner to the higher authorities, who are considering the case of the similarly situated employees in the Department for grant of Time Pay Scale, after completion of 10 years of service.

(2) Learned counsel appearing for the petitioner would submit that the when the Department called confidential report of all the employees, who are eligible for Time Pay Scale in the Department, confidential report of all the similarly situated employees have been sent by the respondents except the case the present petitioner and, therefore, the respondents may be directed to send the confidential report of the petitioner to the higher authorities for considering whether the petitioner is entitled for benefits of time pay scale or not. He would also submit that his case may be rejected or allowed but his case cannot be denied consideration, if he is otherwise eligible.

(3) Learned counsel for the State, however, would submit that perhaps confidential report of the petitioner was not sent to the Higher Authorities on account of the fact that the petitioner has not completed seven years of services.

(4) Be that at it may, ends of justice would be meet, if the respondents authorities are directed to consider the case of the petitioner, in case if he is found eligible for grant of time pay scale, his confidential reply may be sent to the higher authorities; and in case he is not found eligible, the petitioner should be intimated specifically in writing by giving reasons as to why his confidential report has not been sent to the higher authorities for consideration.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(P. Sam Koshy)
Judge

D/-