

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2087 of 2018

Umakant Tiwari S/o Shri J.P. Tiwari, Aged About 58 Years Presently
Posted As Child Development Project Officer, Integrated Child
Development Project, Deori, District Balod, Chhattisgarh., District :
Balod, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director, Directorate Of Women And Child Development, Indravati Bhawan, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Program Officer, Women And Child Development Department, Balod, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Amrito Das, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer, on advance copy

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/03/2018

Heard.

1. At the outset, learned counsel for the petitioner submits that the petitioner would be satisfied if the petition, at this stage, is disposed off with a direction to consider his representation.
2. The petitioner was appointed as Supervisor in the Directorate of Social Welfare in the erstwhile State of Madhya Pradesh and was thereafter sent on deputation on the post of Nutrition Inspector in the year 1989. The petitioner

was finally absorbed as Nutrition Inspector in the respondent department vide order dated 09.01.1998. It is submitted that the State of Madhya Pradesh passed an order on 03.10.2015 fixing seniority of all the officers including the petitioner also though, by that time, the petitioner was allocated to the State of Chhattisgarh.

3. Further submission is that thereafter, the State of Madhya Pradesh proceeded to pass another order dated 18.02.2016 granting notional promotion to the petitioner on the post of Child Development Project Officer with effect from 24/26.08.1996. Therefore, now the State of Chhattisgarh is obliged to recognize the seniority and the notional promotion granted to the petitioner by the State of Madhya Pradesh and treating him as Child Development Project Officer with effect from 24/26.08.1996 for the purpose of entitlement to be considered for scale promotion to the next higher pay scale under circular dated 28.04.2008 revised subsequently vide circular dated 05.03.2010.

4. Learned State counsel would submit that the petitioner's case would be duly examined under the relevant circular referred to above with regard to his entitlement to get higher pay scale within a reasonable period.

5. In view of the statement so made, at this stage, the petition is disposed off with a direction to the State to examine the petitioner's claim for higher pay scale under circular dated 28.04.2008 and 05.03.2010 and appropriate decision be taken and orders be passed within a period of 3 months from the date of receipt of copy of this order.

Sd/-
(Manindra Mohan Shrivastava)
Judge