

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2099 of 2018

Ishwar Prasad Nayak S/o Laxman Prasad Nayak, Aged About 50 Years
Occupation Service, Presently Posted And Working As Peon,
Government Middle School, Anjoripali, Block Kharsiya, District Raigarh
Chhattisgarh., District : Raigarh, Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Raigarh, District Raigarh Chhattisgarh., District : Raipur, Chhattisgarh
2. Director, Directorate Of Public Instructions, Chhattisgarh, Block - 3, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer, Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Block Education Officer, Kharsiya, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh **---- Respondents**

For Petitioner	:	Mr. Dhani Ram Patel, Advocate.
For State	:	Mr. Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/03/2018

Heard.

The petitioner has preferred this writ petition seeking grant of regular pay scale from the date of appointment as Contingency Paid Employee i.e. from 21.01.1997. He would submit that in view of the order passed by the State Government on 09.09.2008 and the judgment rendered by this Court in W.P. No.4822 of 2005, the petitioner is entitled for regular pay scale from 21.01.1997.

In view of the fact that the petitioner is praying for similar order as has been passed in W.P. No.4822 of 2005 (Swawroop Ram Dhirtlahare Vs. State of C.G. And Ors.), the present writ petition is disposed off with direction that in the event petitioner submits a representation before the competent authority, the said authority shall consider and decide the representation after verifying

as to whether case of the petitioner falls within any Government instructions for grant of regular pay scale issued by the Department and further as to whether case of the present petitioner is similar to Swawroop Ram Dhirtlahare in W.P. No.4822 of 2005.

It is made clear that this Court has not expressed any opinion on the merits of the case and it is for the concerned authority to decide the representation strictly in accordance with the extent Government instructions issued in this regard by the concerned department and the observation made herein above shall not be construed to be an opinion in favour of the petitioner.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha