

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 2098 of 2018**

Kuber Prasad Nayak S/o Mohan Singh Nayak, Aged About 42 Years  
Occupation Service, Presently Posted And Working As Peon,  
Government Middle School Baikunthpur (Basanpali) Block Kharsiya,  
District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Mantralaya, Naya Raipur, Post Office, Police Station Naya Raipur, District Raipur, 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**

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

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**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 04.01.1997. 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 04.01.1997.

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