

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2725 of 2018**

Kamta Prasad Soni S/o Shri Makhan Lal Soni Aged About 58 Years Head Master, Government Middle School, Upka, Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department, Mahanadi Bhawan, New Raipur CG
2. The Director, Public Instructions Indravati Bhawan, Raipur, Chhattisgarh.,
3. Joint Director, Treasury, Account And Pension, Bilaspur, District- Bilaspur, Chhattisgarh.,
4. District Education Officer, Bilaspur District- Bilaspur, Chhattisgarh.,
5. Block Education Officer, Kota, District- Bilaspur, Chhattisgarh **--Respondents**

For Petitioner	:	Mr. Shashi Kumar Kushwaha, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****02.04.2018**

Heard.

1. The petitioner was initially appointed as Assistant Teacher against the post of Assistant Teacher on a fixed pay of Rs.150/-. After completion of probation period, he was granted regular pay scale.
2. Learned counsel appearing for the petitioner submitted that the issue involved in the case is as to whether the petitioner is entitled to regular pay scale with effect from the date of initial appointment or after completion of probation period.
3. The issue involved herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A.No.2745/89 (Madhukant Yadu and 56 Others v. State of M.P. & others), wherein it was held that the similarly situated

teachers are entitled to regular pay scale with effect from the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from the date of initial appointment.

4. Learned counsel appearing for the petitioner also submits that this Court, while considering the same issue in Amar Sai Ram & others Vs. State of Chhattisgarh & others [WP (S) No.4725/2006] by order dated 01/09/2006, allowed the petitioners to make a representation along with copy of the petition and annexures within a period of ten days, raising all their grievances and in turn, the concerned respondent was directed to decide the representation in an objective manner within a period of 30 days from the date of receipt of the representation.

5. Accordingly, the petitioner is granted liberty to make a representation raising all her grievances and in turn, the concerned respondent is directed to decide the representation, if any, in accordance with law, on its own merits, within a period of eight weeks from the date of receipt of representation, subject to verification of the facts.

6. In view of the foregoing, this petition is disposed off. No order as to costs.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Rekha