

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition No.2099 of 2006

Sagun Lal Verma, S/o Shri Gaya Verma, Age 49 years, Junior Assistant posted at Raipur Dugdh Sangh, Situated at Village Urla (B.M.Y.), Charoda, District Durg (C.G.)

---- Petitioner

Versus

1. Raipur Dugdh Sangh Maryadit, through Managing Director, Raipur Dugdh Sangh, Situated at Village Urla (B.M.Y.), Charoda, District Durg (C.G.)
2. State of Chhattisgarh, Through Secretary, Department of Veterinary Services, Mantralaya, D.K.S. Bhavan, Raipur (C.G.)

---- Respondents

For Petitioner:	Mr. Pawan Kesharwani, Advocate.
For Respondent No.1:	Mr. Vinod Deshmukh, Advocate.
For Respondent No.2/State: -	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/01/2018

1. The petitioner's substantive post is Junior Assistant. He worked on the higher post of Village Extension Organiser. He is claiming salary and pay-scale on that higher post of Village Extension Organiser. Earlier, it was granted, but it has been set aside by the Joint Registrar, Co-operative Societies and affirmed by the Registrar, Co-operative Societies.
2. Learned counsel for the petitioner relies upon a decision of the Supreme Court in the matter of **State of Punjab and another v. Dharam Pal**¹.
3. On the other hand, learned counsel for respondent No.1 opposing the

¹ AIR 2017 SC 4438

writ petition would submit that the petitioner has never served as Village Extension Organiser and falsely claiming salary and pay-scale on the post of Village Extension Organiser.

4. Respondent No.1 has clearly stated that the petitioner has never worked on the post of Village Extension Organiser and falsely claiming salary and allowances as of the higher post. No rejoinder controverting the said fact has been filed by the petitioner before this Court as such, he has failed to make out a case for grant of relief.
5. Even otherwise, concurrent findings recorded by the two authorities are findings of fact based on record. I do not find any illegality or irregularity in the orders impugned passed by the Joint Registrar and the Registrar. In view of the above-stated facts, the judgment cited by learned counsel for the petitioner is clearly distinguishable to the facts of the present case.
6. The writ petition is accordingly dismissed leaving the parties to bear their own cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge