

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 598 of 2018**

- Binnu Ram S/o Late Somen Ram, Aged About 39 Years Presently Working As Permanent Gangman Labour, Department Of Public Works, Sub Division No. 2, Ambikapur, Office Of Executive Engineer, Ambikapur, Police Station Kotwali, Ambikapur, District Surguja Chhattisgarh.,

---- Petitioner**Versus**

1. Subodh Singh Secretary, Department Of Public Works, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. D.K. Pradhan, Engineer-In-Chief, Department Of Public Works, P.W.D. Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. V.K. Bhatpahari, Chief Engineer, Department Of Public Works, Ambikapur, District Surguja Chhattisgarh.
4. Sanjay Suryavansi, Superintendent Engineer, Department Of Public Works, Ambikapur Division, Ambikapur, District Surguja Chhattisgarh

---- Respondent

 For Petitioner

 Mr. Pawan Shrivastava, Advocate

S.B.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****29/6/2018**

1. Heard.
2. By order dated 30.11.2017 passed in WPS No.4936 of 2017 and in another connected petition, the following order has been

passed by this Court:

1. "Petitioners were appointed as Labourer in Permanent Gang. By virtue of the circular dated 12.02.2008 (Annexure P-2), the petitioners are entitled to regular pay scale, as has been allowed in favour of other similarly placed employees, but the respondents are not allowing regular pay scale.
 2. Considering the limited issue brought before this Court, the writ petitions are disposed of with direction that on petitioners' submitting fresh representation claiming regular pay scale on the strength of circular dated 12.02.2008, within a period of 4 months from today, the competent authority shall consider and decide the representation by a speaking order, at the earliest, preferably within a period of 3 months from the date of submission of representation.
 3. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order as opinion on the merits of the case".
3. Admittedly, the petitioner's representation has been decided by a reasoned order on 9.4.2018 (Annexure C/3), therefore, the order has been complied with.

4. If the petitioner is aggrieved by Annexure C/3, the appropriate remedy lies in filing a fresh writ petition.
5. Accordingly, the contempt petition is disposed of with liberty to the petitioner to move a fresh writ petition.

Sd/-

Judge

(Prashant Kumar Mishra)

Shyna