

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 1674 of 2017**

- Sanjeev Verma S/o Shri V. K. Verma, Aged About 45 Years, R/o D-29, L-3, Vinoba Nagar, Bilaspur Presently Posted As Lecturer Panchayat At Government Higher Secondary School, Ganyari, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary Panchayat And Urban Administration And Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur Chhattisgarh
- Deputy Secretary, Panchayat And Rural Development Department, Mantralaya, Naya Raipur, Chhattisgarh
- Chief Executive Officer, Zila Panchayat, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents**WPS No. 1643 of 2017**

- Dharendra Sharma S/o Late Shri Chandra Pyare Sharma, Aged About 42 Years, R/o New Sarkanda Bangalipara District Bilaspur Chhattisgarh Presently Posted As Lecturer Panchayat At Government Higher Secondary School, Hardikala Tona District Bilaspur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary Panchayat And Urban Administration And Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur Chhattisgarh
- Deputy Secretary, Panchayat And Rural Development Department, Mantralaya, Naya Raipur Chhattisgarh

- Chief Executive Officer, Zila Panchayat, Bilaspur District Bilaspur Chhattisgarh

---- Respondents

WPS No. 4924 of 2017

- Smt. Rajshree Kaushik W/o Shri Deepak Ram Kaushik, Aged About 31 Years R/o J.P. Vihar, Mangla, Bilaspur, Presently Posted As Lecturer Panchayat At Government High School, Jaroundha, Block Takhatpur, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur, Chhattisgarh
- Deputy Secretary, Panchayat And Rural Development, Mantralaya, Naya Raipur, Raipur, Chhattisgarh
- Chief Executive Officer, Zila Panchayat, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondents

WPS No. 5778 of 2017

- Rajendra Kumar Sahu S/o Shri Hemlal Sahu, Aged About 33 Years R/o 179/k, Vindhwasini Ward, Dhamtari, Presently Posted As Lecturer Nagri Nikay, At Government Girls Higher Secondary School, Dhamtari, District Dhamtari, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Its Secretary Panchayat And Rural Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur, Chhattisgarh
- Deputy Secretary, Urban Administration And Development Department, Mantralaya, Naya Raipur, Raipur, Chhattisgarh

- Chief Municipal Officer, Nagar Panchayat, Bhakhara, District Dhamtari, Chhattisgarh

---- Respondents

WPS No. 6483 of 2017

- Premlata Baghel W/o Shri Rakesh Singh Baghel, Aged About 39 Years Presently Posted As Lecturer (Nagri Nikay) At Government High School Station, Maroda, Bhilai, District Durg Chhattisgarh, R/o Vrinda Nagar, Durg District, Durg Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Department, Mantralaya, Bhawan, Naya Raipur, Raipur Chhattisgarh
- Deputy Secretary, Urban Administration And Development Department, Mantralaya, Naya Raipur Raipur Chhattisgarh
- Chief Municipal Officer, Nagar Panchayat, Bhilai, District Durg Chhattisgarh

---- Respondents

WPS No. 4677 of 2018

- Smt. Pushpa Vatti W/o Bharat Singh Vatti Aged About 31 Years Lecturer (Nagri Nikay) At Government Higher Secondary School Bacheli District Dantewada R/o RES Colony, Q. No. 2, Ward No. 4, Bade Bacheli District Dantewada Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Its Secretary Panchayat And Rural Development Department, Mantralaya, Bhawan Naya Raipur , Raipur Chhattisgarh
- Deputy Secretary, Urban Administration And Development Department Mantralaya, Naya Raipur , Raipur Chhattisgarh
- Chief Municipal Officer, Municipal Council, Bade Bacheli District Dantewada Chhattisgarh

---- Respondents

WPS No. 6026 of 2017

- Gajendra Kumar Sahu S/o Shri Lekhram Sahu, Aged About 34 Years R/o Janpad Panchayat Colony Awas No. 1, Simga, Tehsil, District Balodabazar- Bhatapara, Chhattisgarh. Presently Posted As P. T. I. Teacher Nagri Nikay At Government Boys Higher Secondary School, Simga, District Balodabazar- Bhatapara, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur, Chhattisgarh
- Deputy Secretary, Urban Administration And Development Department, Mantralaya, Naya Raipur, Raipur, Chhattisgarh
- Chief Municipal Officer, Nagar Panchayat, Simga, District Balodabazar- Bhatapara, Chhattisgarh

---- Respondents**WPS No. 6036 of 2017**

- Vivek Milind S/o Shri M.B.Milind, Aged About 42 Years, Posted As Lecturer Panchayat, At Government Higher Secondary School, Somatola, Block Mohla, District Rajnandgaon, Chhattisgarh, R/o Ward No.13, Shubhash Chowk, Ambagarh Chowki, Tehsil Ambagarh Chowki, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary Panchayat And Urban Administration And Development Department, Mantralaya Bhawan, Naya Raipur, Raipur, Chhattisgarh
- Deputy Secretary, Panchayat And Rural Development Department, Mantralaya, Naya Raipur, Raipur, Chhattisgarh
- Chief Executive Officer, Zila Panchayat Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Respondents

WPS No. 6149 of 2017

- Ku. Yogita Kanwar D/o Late Shri Amar Singh Kanwar, Aged About 33 Years, R/o Gandhi Chowk, Sorid Nagar, Dhamtari, District Dhamtari, Chhattisgarh, Presently Posted As Lecturer Panchayat Nagri Nikay, At Government Boys Higher Secondary School, Kurud, District Dhamtari, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary Panchayat And Rural Development Department, Mantralaya, Bhawan, Naya Raipur, Chhattisgarh
- Deputy Secretary, Urban Administration And Development Department, Mantralaya, Naya Raipur, Chhattisgarh
- Chief Municipal Officer, Nagar Panchayat Dhamtari, District Dhamtari, Chhattisgarh

---- Respondents**WPS No. 6019 of 2018**

- Aditya Prakash Namdeo S/o Shri S.B. Namdeo, Aged About 31 Years R/o Chandrashekhar Ward No. 12, Dondi, Tehsil And Post- Dondi, District- Balod Chhattisgarh, Presently Posted As Assistant Teacher (Urban), At Government Primary School, Nayapara, District- Baloda, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh, Through Its Secretary, Urban Administration And Mantralaya, Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
- Deputy Secretary Urban Administration And Development Department, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
- Chief Municipal Officer Nagar Pachayat, Dondi, District- Balod, Chhattisgarh

---- Respondents

WPS No. 6018 of 2018

- Smt Basanti Sahu W/o Shri Pramod Sahu, Aged About 30 Years R/o C/o Tanu Ram Sahu / Pramod Sahu, Khan General Store Gali, Vrinda Nagar, Camp-1, Bhilai, District Durg, Chhattisgarh, Presently Posted As Assistant Teacher (Urban), At Government Primary School, Vrinda Nagar Camp- 1, Bhilai, District Durg, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary, Urban Administration And Development Department, Mantralaya, Bhawan, Naya Raipur, Raipur, Chhattisgarh
- Deputy Secretary Urban Administration And Development Department, Mantralaya, Naya Raipur, Raipur, Chhattisgarh
- Commissioner Municipal Corporation, District Durg, Chhattisgarh

---- Respondents**WPS No. 4134 of 2018**

- Chandra Prakash Dahire S/o Tilak Ram Dahire, Aged About 39 Years Presently Working As Lecturer (Nagariya Nikay) At Govt. Naveen Higher Secondary School, Kawardha, Block Kawardha, District Kabirdham, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
- Joint Director, Department Of Urban Administration And Development, Naya Raipur, District Raipur, Chhattisgarh
- Chief Municipal Officer, Nagar Panchayat, Kawardha, Block Kawardha, District Kabirdham, Chhattisgarh

---- Respondents

WPS No. 4270 of 2018

- Rajeshwari Dewangan W/o Abdul Karim, Aged About 44 Years Presently Working As Teacher (Nagariya Nikay) At Kasturba Gandhi Vidyalaya, Kondagaon, District Kondagaon Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Secretary Department Of Urban Administration And Development Mantralaya Mahanadi Bhawan Naya Raipur, District Raipur, Chhattisgarh
- Joint Director, Department Of Urban Administration And Development Naya Raipur, District Raipur, Chhattisgarh.
- Chief Municipal Officer, Chief Municipal Officer, Municipal Council Kondagaon, District Kondagaon, Chhattisgarh.

---- Respondents**WPS No. 4629 of 2018**

- Amit Kumar S/o Shri Chhattu Ram, Aged About 29 Years Working As Lecturer (Nagriya Niyak) And Posted At Govt. Higher Secondary School Takiyapara, Durg, District- Durg, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
- Commissioner, Municipal Corporation, Durg, District- Durg, Chhattisgarh

---- Respondents**WPS No. 4622 of 2018**

- Smt. Sangeeta Dewangan W/o Shri Devendra Kumar Dewangarn, Aged About 39 Years, Working As Lecturer (Nagriya Niyak) And

Posted At Govt. Girls Higher Secondary School Nawagarh, District Bemetara Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
- Chief Municipal Officer, Nagar Panchayat Nawagarh, Bemetara, District Bemetara Chhattisgarh

---- **Respondents**

WPS No. 4898 of 2018

- Gajendra Kumar Dewangan S/o Late Shri Ramji Lal Dewangan, Aged About 44 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Boys Higher Secondary School Katghora, District Korba Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
- Chief Municipal Officer, Nagar Palika Parishad, Katghora, District Korba Chhattisgarh

---- **Respondents**

WPS No. 5030 of 2018

- Smt. Namita Mishra W/o Shri Ravindra Mishra, Aged About 34 Years Working As Lecturer (Nagriya Nikay) And Posted At Govt. Higher Secondary School Jamul, Block And District- Durg, Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
- Chief Municipal Officer, Nagar Palika Parishad, Jamul, District- Durg, Chhattisgarh

---- Respondents**WPS No. 5969 of 2018**

- Smt. Rashmi Sharma W/o Shri Pankaj Giri Sharma, Aged About 30 Years, Working As Shiksha Karmi Grade - III (Nagriya Nikay) And Posted At Government Primary School Bagbahara, District Mahasamund Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Secretary, Department Of Urban Administration Mahanadi Bhawan, Mantralaya Naya Raipur District Raipur Chhattisgarh
- Chief Municipal Officer, Nagar Palika Parishad, Bagbahara District Mahasamund, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Mateen Siddiqui, Shri Ishan Verma, Shri C. Jayant K. Rao & Shri Ajay Shrivastava, Advocates
For Respondents	:	Shri Ratan Pusty, G.A., Shri Majid Ali, Dy. G.A. Shri Sunil Verma on behalf of Shri Shrawan Agrawal, Shri Mayank Kumar, Shri Kishan Lal Sahu, Shri B. L. Sahu on behalf of Shri A. S. Kachhawaha, Shri Sangharsh Pandey, Shri OM P. Sahu & Shri Ashutosh Mishra, Advocates

Hon'ble Shri Justice P. Sam Koshy**Order On Board**

12/11/2018

These are the bunch of writ petitions where the claim of the petitioners is for grant of revised pay scale on completion of 8 years service.

2. The claim of the petitioner is not being considered by the respondents on the ground that the petitioners do not have 8 years service under one employer. It is a case where the petitioners were initially employed either under the Panchayat Department or under the Urban Administration Department and on a fresh recruitment they have been further appointed under either the Urban Administration Department or the Panchayat Department.

3. The respondent State has been granting the benefit of higher revised pay scale only to those persons who have completed 8 years of service where their initial appointment was within the same department i.e. from Panchayat to Panchayat Department.

4. There are cases where the petitioners' initial appointment was in the Panchayat Department but later on they got a fresh appointment in the Urban Administration Department on the same post or on the higher post. There are also instances where the petitioners were initially appointed under the Urban Administration Department on a lower post and subsequently have been appointed on the higher post in the same department, yet they have not been granted the benefit as according to the respondents the benefit could be extended only in the event of their services initially being in the Panchayat Department and are also subsequently appointed on the higher or on the same post in the Panchayat Department.

5. The undisputed fact which has been brought to the notice of this Court is that the issue involved in these bunch of writ petitions has already been considered by this Court in its judgment dated 27.10.2018, the lead case of which is WPS No. 6147 of 2018 (Shabnum Khatun Vs. State of Chhattisgarh and others). Since the issue raised by the petitioners in the present writ petitions and the defence taken by the respective respondents have all been dealt with in the said judgment, this Court is of the opinion that these bunch of writ petitions also are liable to be disposed of in similar terms of the order passed in the said bunch of writ petitions decided on 27.10.2018 in WPS No. 6147 of 2018 and other connected writ petitions. Accordingly, these bunch of writ petitions stand allowed in similar terms and the petitioners would be entitled for similar reliefs as have been granted in WPS No. 6147 of 2018 and other connected petitions decided on 27.10.2018.

**Sd/-
(P. Sam Koshy)
JUDGE**