

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 4735 of 2018

- Smt. Anamika Tiwari W/o Shri H.S. Tiwari, Aged About 41 Years Lecturer Panchayat, Govt. Higher Secondary School, Marra, Block Patan, District Durg Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Gramin Vikash Department Ministry, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. Director, Panchayat, Sanchalnalaya, Indrawati Bhavan, New Raipur Chhattisgarh.
3. Chief Executive Officer, District Panchayat, Durg Chhattisgarh.

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

24.07.2018

1. Heard counsel for the parties.
2. Petitioner has preferred this writ petition praying for a direction to the respondents to consider and count her earlier service for grant of revised pay scale without insisting upon NOC.
3. The petitioner was appointed as Shiksha Karmi, Grade-3 by the CEO, Janpad Panchayat, Patan on 15.07.2006 and later on she was appointed as Shiksha Karmi Grade-02 on 13.10.2008 and on 07.07.2010 as Shiksha Karmi Grade-01 by the CEO, Zila Panchayat, Durg. The respondents are not considering her earlier service for revised pay scale for want of NOC from earlier Panchayat.

4. Counsel for both the parties submit that the matter is squarely covered by the orders of this Court dated 28-11-2017 passed in WPS No. 2530/2017 (Mukesh Kumar Patel and anr. -v- State of Chhattisgarh and Another) and order dated 26.06.2018 passed in WPS No. 4138/2018 (Smt. Rashmi Singh Raj -v- State of Chhattisgarh and Another).
5. In view of above submissions and the aforesaid orders passed by this Court, the present writ petition is also allowed with the direction that the petitioner is entitled to obtain the benefit of revised pay scale on completion of 8 years service by including the services rendered by her earlier on a lower post or on the same post.

Sd/-

(Sharad Kumar Gupta)
JUDGE

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