

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 4982 of 2018**

Omprakash Yogi S/o Shri Sarya Nath Yogi Aged About 52 Years
Presently Working As Head Master At Govt. Middle School Rail Colony
Karnji, Block- Surajpur District- Surajpur, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through- Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. The District Education Officer District- Surajpur, Chhattisgarh.
3. The Block Education Officer Block- Surajpur, District- Surajpur, Chhattisgarh.

----**Respondents**

For Petitioner	:	Shri Dashrath Prajapati, Advocate.
For State	:	Shri Shashank Thakur, Govt. Advocate.

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

06/08/2018

1. The petitioner was initially appointed as Deputy Teacher against the post of Assistant Teacher on a fixed pay of Rs.150/-. After completion of probation period, she 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/-

(P. Sam Koshy)
Judge