

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6273 OF 2018**

1. Laxmi Prasad Dubey S/o Late Ved Prasad Dubey Aged About 63 Years Retd. Lecturer, R/o Village And Post Kathakoni, Purani Basti, Tahsil And District- Bilaspur, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Public Instructions, Indrawati Bhawan, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Joint Director Treasury, Account And Pension, Bilaspur, Division, Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Principal Govt. Higher Secondary School, Baima Nagai, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri KS Pawar and Shri Shashi Kushwaha, Advocates.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25.09.2018**

1. The present petitioner was working with the respondents as Upper Division Teacher and in the year 2012, the petitioner was promoted to the post of Lecturer.
2. Grievance of the petitioner is that subsequent to his promotion having been granted, the benefit which the petitioner is entitled for under Rule FR 22 D is not being extended to him by the respondents.
3. Counsel for the petitioner submits that the issue involved in the present case stands squarely decided by this Court in WPS No. 4991 of 2006 vide its order dated 27.03.2008 and therefore the petitioner is also entitled for the similar benefit. He submits that the petitioner has been making repeated representations and have also sent notices to the respondents but they have not taken any decision in this regard. Hence, counsel for the

petitioner makes a limited prayer that the representations of the petitioner pending before the respondents may be decided at the earliest.

4. The proposition put forth by the counsel for the petitioner is not opposed by the State counsel.
5. Accordingly, let the respondents 3 & 4 take a decision on the claim of the petitioner as to whether he is entitled for the relief claimed under Rule FR 22 D or not within a period of 90 days from the date of receipt of certified copy of this order. If required, the petitioner may also file a fresh representation to the respondents 3 & 4 with all relevant documents in support of his claim.
6. It is made clear that this Court has not expressed any opinion on the merits of case so far as the entitlement of the petitioner is concerned. The respondents 3 & 4 shall verify and scrutinize the case of the petitioner in accordance with the rules governing the field and take an appropriate decision. If the petitioner is found entitled, the benefit should be released forthwith.

Sd/-
(P. Sam Koshy
Judge