

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7092 of 2018**

Smt. Kavita Kashyap W/o Shri Suresh Kashyap, Aged About 34 Years, R/o Village- Teliyapuran, Janpad Panchayat Lormi, Tahsil And District- Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Gramin Vikas Vibhag, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District- Raipur, Chhattisgarh
2. Collector, Mungeli, District- Mungeli, Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat Lormi, District- Mungeli, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Mungeli, District- Mungeli, Chhattisgarh
5. District Program Officer, Mungeli, District- Mungeli, Chhattisgarh

---- Respondents

For Petitioners	:	Shri A. K. Yadav, Advocate
For State	:	Ms. Sunita Jain, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.10.2018**

The limited grievance which the petitioner has raised in the present writ petition is the non-granting of salary to the petitioner from the period February, 2017 to January, 2018.

2. However, on going through the records and the submission made by the counsel for the petitioner it appears that the services of the petitioner were terminated in April, 2017 and the said order of termination was set aside by the High Court in WPS No. 5653/2017 vide its order dated 31.10.2017. Thereafter the petitioner has been reinstated in the month of November, 2017.

3. Given the facts, from the aforesaid submission it appears that the petitioner has in fact discharged her duties in the department between February, 2017 to April, 2017 and thereafter, between November, 2017 to January, 2018. The petitioner for the said period would definitely be entitled for salary provided she has discharged her duties during the said period.

4. So far as the wages for the intervening period are concerned, it would be left for the authorities to take an appropriate decision in this regard in accordance with rules.

5. So far as the salary for the period between February, 2017 to April, 2017 and November, 2017 to January, 2018 is concerned, it is ordered that respondent no.3 shall verify the fact regarding the petitioner having discharged her duties during the said period and in case the petitioner has worked during the said period, she would be entitled for salary for the said period and the same shall be paid forthwith preferably within a period of 90 days from the date of receipt of certified copy of this order.

6. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**