

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7338 of 2018**

1. Ratan Singh Paikra S/o Shri Maan Singh Aged About 35 Years Working As Lecturer (Panchayat) And Posted At Govt. Boys Higher Secondary School Marwahi ,block Marwahi ,district Bilaspur Chhattisgarh.
2. Lakhan Lal Gote S/o Shri Gokulram Gote Aged About 43 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Rengadabri ,block Doundilohara District Balod Chhattisgarh.
3. Prakash Chandra Chelak S/o Shri Dwarika Prasad Chelak Aged About 46 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Rasmada Block And District Durg Chhattisgarh.
4. Ramdas Nayak S/o Shri Toshram Nayak Aged About 44 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Badenawapara Baramkela District Raigarh chhattisgarh.
5. Dhaneshwar Prasad Kaliyari S/o Shri Omprakash Kaliyari Aged About 34 Years Working As Assistant Teacher (Panchayat) And Posted At Govt. Primary Secondary School Riwagahan Block Doundilohara District Balod Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary Department Of Panchayat Mahanadi Bhawan Mantralaya New Raipur District Raipur Chhattisgarh.
2. Chief Executive Officer Zila Panchayat Raigarh District Raigarh Chhattisgarh.,
3. Chief Executive Officer Zila Panchayat Durg ,district Durg Chhattisgarh.
4. Chief Executive Officer Zila Panchayat Balod ,district Balod Chhattisgarh.
5. Chief Executive Officer , Zila Panchayat Bilaspur District Bilaspur Chhattisgarh.,
6. Chief Executive Officer Janpad Panchayat Doundilohara District Balod Chhattisgarh.

---- Respondents

For petitioners- Shri Ajay Shrivastava, Advocate.
For State- Shri Chandresh Shrivastava, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

02/11/2018

Heard.

1. Learned counsel for the petitioners would submit that the petitioners were working in panchayat department and when fresh appointment were made some of them were appointed on the same post and some of them on the higher post, therefore their services rendered should be considered for revised pay scale. Learned counsel further submit that the issue raised in this petition is squarely covered by order dated 28.11.2017 passed by this Court in WPS No.2530 of 2017 (Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another) and batch of petitions wherein the circular dated 23.04.2016 has been quashed, petitions allowed and it has been declared that the petitioners therein shall be entitled to obtain the benefit of revised pay-scale on completion of 8 years service by including the services rendered by them on a lower post or on the same post.

2. In view of the aforesaid submission subject to just exception if any and the impugned order and action is based on circular dated 23.04.2016 which has been quashed in the case referred to herein above, the petition also deserves to be allowed with a direction that the petitioners who have completed the service of 8 years by including the earlier service rendered by them they would be entitled for benefit of revised pay scale if any.

3. It is further directed that the State Government shall take into account and consider the services rendered by the petitioners at different department and entitlement if any would be granted to them and which would not be denied on the basis of circular dated 23/04/2016 which has already been quashed in case of Mukesh Kumar Patel (supra).

Sd/-

(Goutam Bhaduri)

JUDGE