

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7470 of 2018**

- Yogeshwari Keshari, D/o Shri Balkrishna, aged about 26 years, Presently working as Assistant Teacher (Nagariya Nikay) at Govt. Adarsh Girls Higher Secondary School, Kawardha, Block Kawardha, District Kabirdham (C.G.)

---- **Petitioner****Versus**

1. State of Chhattisgarh Through the Secretary, Department of Urban Administration and Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)
2. Joint Director, Department of Urban Administration and Development, Naya Raipur, District Raipur (C.G.)
3. Chief Municipal Officer, Nagar Palika Parishad, Kawardha, District Kabirdham (C.G.)

---- **Respondents**


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For Petitioner : Shri C.J.K. Rao, Advocate

For Respondents/State : Ms. Sunita Jai, Panel Lawyer

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**Hon'ble Shri Justice P. Sam Koshy****Order on Board****14.11.2018**

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.

2. The grievance of the petitioner was that the petitioner was initially appointed as Shiksha Karmi Grade-III by Nagar Panchayat and later by way of fresh recruitment as Shiksha Karmi Grade-III under the Municipal Council Kawardha. As such, it is a case of two appointments within the Urban Administration and Development Department and therefore, the services of the petitioner rendered under the Nagar Panchayat also ought to have been

counted for the purpose calculating the total length of service.

3. The counsel for the petitioner submits that the issue involved in the present writ petition is squarely covered by the judgment of this Court in a bunch of writ petitions disposed off on 27.10.2018. The lead case of which being W.P.(S) No. 6147 of 2018 (Shabnum Khatun vs. State of Chhattisgarh & Ors.)

4. Factual aspect of the matter is not disputed by the State counsel so far as the matter being similar to the case of "Shabnum Khatun" (supra).

5. Given the facts and circumstances of the case the present writ petition also deserves to be and is accordingly disposed off in similar terms to the order passed in W.P.(S) No. 6147 of 2018 (Shabnum Khatun vs. State of Chhattisgarh & Ors.)

6. The writ petition accordingly stands allowed. The petitioner would be entitled for the benefit as prayed for subject to the verification of the claim by the Department.

Sd/-

**(P. Sam Koshy)**  
Judge