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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7708 of 2018**

1. Dr. Chhannu Lal Sahu S/o Late Shri Khorbahara Ram Sahu, Aged About 47 Years, Post Lecturer (L.B.), Department Of School Education, R/o Village Viroda, Post Kolar, Thana Abhanpur, District Raipur Chhattisgarh
2. Palak Das Sahu S/o Late Shri Laharman Das Sahu, Aged About 49 Years Post Lecturer (L.B.), Department Of School Education, R/o Village Paloud, Post Tekri, Block And Thana Abhanpur, District Raipur Chhattisgarh
3. Dev Charan Sahu S/o Shri Nazru Ram Sahu, Aged About 43 Years Post Lecturer (L.B.), Department Of School Education, R/o Village Baktara, Post Kendri, Block Abhanpur, District Raipur Chhattisgarh
4. Ripusudan Sahu S/o Shri Jiwarakhan Lal Sahu, Aged About 52 Years Post Lecturer (L.B.), Department Of School Education, R/o Village Chaprid, Post Samoda, Via Arang, District Raipur, Chhattisgarh
5. Smt. Purnima Sahu W/o Shri Palak Das, Aged About 42 Years, Post-Assistant Teacher (L.B.), Department Of School Education, R/o Village Paloud, Post Tekri, Block And Thana Abhanpur, District Raipur Chhattisgarh
6. Suresh Kumar Sahu S/o Shri Rameshwar Lal Sahu, Aged About 46 Years, Post- Assistant Teacher (L.B.), Department Of School Education, R/o Village Sarkhi, Post Kolar, Block Abhanpur, District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Ministry, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh

2. The District Education Officer, Block Abhanpur, District Raipur
Chhattisgarh

3. The Block Education Officer, Block Abhanpur, District Raipur
Chhattisgarh

---- Respondents

For Petitioner	:	Shri Alok Dewangan, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

27.11.2018

The petitioners were initially appointed as contract teachers on a fixed pay of Rs.2,500/-. After completion of probation period, they were granted regular pay scale.

2. Learned counsel appearing for the petitioners submits that the issue involved in the case is as to whether, the petitioners are entitled to regular pay scale w.e.f. 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 Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. 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

date of initial appointment.

4. Learned counsel appearing for the petitioners also submits that this Court, while, considering the same issue in Amar Sai Ram & others Vs. State of Chhattisgarh & others (W.P.(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. Other similarly placed employees had also filed a writ petition i.e. WPS No. 1990 of 2011 which was also disposed of in favour of the petitioners therein vide order dated 15.04.2011.
5. Accordingly, the petitioners are granted liberty to make a representation raising all their 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 8 weeks from the date of receipt of the representation.
6. In view of the foregoing, this petition is disposed of. No order as to costs.

Sd/-
P. Sam Koshy
Judge