

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7820 of 2018

1. Bisheshwar Ram S/o Bitul Ram Aged About 50 Years Posted As Peon, And Posted At Office Of Block Education Officer, Kunkuri, Block Kunkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
2. Ganesh Ram Chouhan S/o Bhausa Ram Aged About 47 Years Posted As Peon And Posted At Govt. Girls Higher Secondary School Kunkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
3. Upendra Kumar Yadav S/o Laxman Ram Yadav Aged About 50 Years Posted As Peon, And Posted At Government Higher Secondary School Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
4. Jai Prakash Paikra S/o Sukun Sai Aged About 53 Years Posted As Peon And Posted At Govt. Girls High School Narayanpur, Block Kunkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
5. Surjan Ram S/o Ram Sai Ram Aged About 51 Years Posted As Peon, And Posted At Govt. Boys Middle School Tapkara, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
6. Alexander Lakra S/o Emil Lakra Aged About 48 Years Posted A Water Cower (Peon), Posted At Govt. Higher Secondary School, Tapkara, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
7. Khageshwar Ram S/o Jaipal Ram Aged About 53 Years Posted As Peon At Govt. Higher Secondary School Narayanpur, Block Kunkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
8. Bhuwan Ram S/o Madan Ram Aged About 49 Years Posted As Peon, Posted At Govt. Middle School Sundru, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
9. Lal Mohan Sai S/o Munu Sai Aged About 41 Years Posted As Peon, Posted At Givt. High School Purainbandh, Farsabahara, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
10. Balbhadra Ram Chauhan S/o Baijnath Aged About 48 Years Posted As Peon And Posted At Girls Higher Secondary School Pandripani, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
11. Upendra Ram Yadav S/o Nandram Yadav Aged About 43 Years Posted As Peon, Posted At Govt. Higher Secondary School Tapkara, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
12. Mohan Ram S/o Jagguram Aged About 49 Years Peon, Posted At Office Of Block Education Officer, Farsabahar, Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
13. Shivshankar Ram Yadav S/o Kashtu Aged About 43 Years Posted As Peon And Posted At Govt. Higher Secondary School Kersai,

Block Farsabahar, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Lok Shikshan Sanchanalaya, Indrawati Bhawan, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Jashpur, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
4. Block Education Officer Farsagaon, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
5. Block Education Officer Kunkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondents

For petitioner : Shri B. P. Banjare, Advocate.
For State : Shri R. N. Pusty, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/11/2018

1. The present petition under Article 226 of the Constitution of India has been filed for a direction to the respondents to grant regular pay-scale to the petitioner under the contingency services immediately on completion of three years of service from the initial date of appointment.
2. Learned counsel for the petitioner submits that the petitioner is in employment since 12.08.1992 and therefore he is entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons whose services were also regularized in the State Government in the year 2008. He refers to an order dated 10.03.2015 stating that the said order is in respect of identically placed persons.
3. At this juncture, learned State counsel submits that it would be better if the petitioner files detailed fresh representation to respondent

no.3 along with all relevant documents in support of his claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the respondent no.3 shall decide the same within a further period of three months from the date of receipt of the representation.

4. The proposal of the State counsel is acceptable to the counsel for the petitioner.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file fresh representation to respondent no.3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.3 shall dispose off the same within a period of 90 days from the date of receipt of the representation.

6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.

7. No order as to costs.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit