

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8438 of 2018

Sanjay Kumar Dubey S/o Late Shri Harilal Dubey, Aged About 40 Years, Working As Lecturer (Nagriya Nikay) and posted at Govt. Higher Secondary School Balak Balco Nagar, Korba, Tahsil and District Korba (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Urban Administration, Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. Commissioner, Municipal Corporation, Korba, District Korba (C.G.).

---Respondents

For petitioner	:	Shri Ajay Shrivastava, Advocate.
For State	:	Shri Dheeraj Wankhede, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/12/2018

1. The grievance of the petitioner in the present writ petition is the non granting of the advantage of higher pay scale which the petitioner is entitled for on her completion of 8 years of service.
2. Denial on the part of the respondents was on the ground that the petitioner does not have 8 years service under the same employer. It is a case where the petitioner was initially appointed under the Nagar Panchayat as Siksha Karmi (Grade-1). Subsequently after obtaining NOC has got a fresh appointment with the Municipal Corporation, Korba.

3. The claim of the petitioner is that if the services rendered by her in the Nagar Panchayat Department is also counted for the purpose of grant of higher pay scale, she would be entitled for the benefit.
4. The issue raised by the petitioner in the instant case is squarely covered by a bunch of writ petitions decided by this Court on 27.10.2018 in WPS No.6147 of 2018 in the case of Shabnum Khatun Vs. State of Chhattisgarh & Ors. and other analogous petitions.
5. This aspect so far as the factual matrix of the case is concerned is not disputed by the State counsel on verifying the contents of the writ petition.
6. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that nothing remains to be adjudicated in the present writ petition as the issue has already been decided by this Court in the aforesaid judgment in the case of Shabnum Khatun(supra). The present writ petition also stands allowed and disposed of in similar terms. The petitioner would be entitled for the benefit as prayed for subject to verification of all other eligibility criteria for grant of higher pay scale.
7. The writ petition accordingly stands allowed and disposed of.

Sd/-

(P. Sam Koshy)
JUDGE