

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8440 of 2018

1. Mohan Ram Wadde S/o Shri Rupsai Wadde, Aged About 31 Years, Working As Teacher (Nagriya Nikay) And Posted At Govt. Uchch. Primary School Mutiyapara, Block Narayanpur, District- Narayanpur, Chhattisgarh.
2. Shiv Ram Patra S/o Shri Mohan Singh Patra, Aged About 32 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Higher Secondary School Sigoditarai, Block Narayanpur, District- Narayanpur, Chhattisgarh.
3. Harilal S/o Shri Ghasiya Ram, Aged About 47 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Ba. Higher Secondary School Narayanpur, Block Narayanpur, District- Narayanpur, Chhattisgarh.
4. Sukhnath Dhruw S/o Ratiram Dhruw, Aged About 39 Years, Working As Teacher (Nagriya Nikay) And Posted At Govt. Uchch, Priary School Kumharpara, Block Narayanpur, District- Narayanpur, Chhattisgarh.
5. Rikhiram Markam S/o Shri Sukauram Markam, Aged About 38 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Girls Higher Secondary School Narayamnpur, Block Narayanpur, District- Narayanpur, Chhattisgarh.
6. Kriparam Koliyare S/o Shri Bhagwaniram, Aged About 45 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Girls Higher Secondary School Narayanpur, Block Narayanpur, District- Narayanpur, Chhattisgarh.
7. Motiram Nag S/o Shri Rajauram Nag, Aged About 40 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Ba. Higher Secondary School Narayanpur, Block Narayanpur, District- Narayanpur, Chhattisgarh.
8. Ku. Purnima Netam D/o Sater Singh Netam, Aged About 30 Years, Working As Teacher (Nagriya Nikay) And Posted At Govt. Higher Secondary School Balak Narayanpur, Block Narayanpur, District- Narayanpur, Chhattisgarh.
9. Smt. Pushpa Mishra W/o Brajendra Kumar Mishra, Aged About 32 Years, Working As Lecturer (Nagriya Nikay) And Posted At Govt. Higher Secondary School Block Korba, District- Korba, Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
2. The Secretary, Department Of Panchayat, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
3. Chief Municipal Officer, Nagar Panchayat, Narayanpur, District- Narayanpur, Chhattisgarh.
4. Chief Municipal Officer, Nagar Palika Parishad, Narayanpur, District- Narayanpur, Chhattisgarh.
5. Commissioner, Municipal Corporation, Korba, District- Korba, Chhattisgarh.

---Respondents

For petitioners	:	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 petitioners in the present writ petition is the non granting of the advantage of higher pay scale which the petitioners are entitled for on their completion of 8 years of service.
2. Denial on the part of the respondents was on the ground that the petitioners does not have 8 years service under the same employer. It is a case where the petitioners were initially appointed under the Janpad Panchayat. Subsequently after obtaining NOC they have got a fresh appointment with the Nagriya Nikay.
3. The claim of the petitioners is that if the services rendered by them in the Janpad Panchayat is also counted for the purpose of grant of higher pay scale, they 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 petitioners 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

Sumit