

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 2385 OF 2009**

K.D. Chandrakar, S/o Shri Tamooram Chandrakar, aged about 51 Years, presently working as Incharge Chief Municipal Officer, Nagar Palika Parishad, Dallirajhara, Tahsil Dallirajhara, Distt. Durg, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh through the Principal Secretary, Department of Urban Administration and Development, Mantralaya, DKS Bhawan, Raipur (CG).
2. Municipal Council, Dallirajhara, through its Chief Municipal Officer, Dallirajhara, Distt. Durg, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sudip Agrawal, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.08.2019

1. The present is a second round of litigation. The first round of litigation was by way of WPS No.2226 of 2007 which got disposed of on 11.04.2007 whereby the writ petition was disposed of with a direction to the respondents to decide the representation in accordance with law.
2. The contention of the petitioner is that, though the writ petition was disposed of with a direction to decide the representation, but till date the State has not taken any decision leading to filing of this writ petition.
3. At the outset, this court is of the view that the second round of litigation for the same relief is not maintainable. In case if the direction given by this court on 11.04.2007 in WPS No.2226 of 2007 was not complied with, the petitioner had other options. However, since this writ petition was filed in the year 2009 and it got attached with WPS No.2386 of 2009 and the said

writ petition (WPS No.2386 of 2009) stands disposed of with a direction to the State Govt. to take a decision so far as the claim of parity of pay scale is concerned, the present writ petition stands disposed of reserving the right of the petitioner to approach the court in case if need so arises, after the State Govt. takes a decision on the direction given by this court in WPS No.2386 of 2009.

4. Accordingly, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder