

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3424 of 2008**

- Govt. Aided Teacher And Staff Organization, Head Office – Gurukul campus Kalibadi Road, Rapur (CG) through its State President – Sanjay Kumar Dubey, Rashitriya Higher Secondary School, Raipur (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh through Secretary, School Education Department, Mantralaya, DKS Bhawan, Raipur (Chhattisgarh)
2. Director, Public Instruction, Pension Bada, Raipur (Chhattisgarh)
3. District Education Officer, Raipur (CG)

---- Respondent

For Petitioner
For Respondent/State

Mr. Sachin Singh Rajput, Advocate
Mr. RS Baghel, Dy. Advocate General

Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****24/10/2019**

1. Heard.
2. This petition is delinked from WPS No.4167 of 2013.
3. This petition is directed against the State Government's decision to reduce Dearness Allowance from 91% to 85%.
4. This petition was filed in June 2008 after the Sixth Pay Commission recommendation was made operative. At present,

Seventh Pay Commission's recommendation has already been accepted by the Central Government as well as by the State Government making it effective from 1.1.2016. The Dearness Allowance accumulated during the operation of the previous Pay Revision is always merged while fixing the Basic Pay in the new pay revision. Thus, the petition relating to payment of a particular percentage of Dearness Allowance during the operation of previous pay revision would render infructuous after the fresh revision has taken place.

5. Accordingly, the writ petition is dismissed as having become infructuous. However, liberty is reserved in favour of the petitioner to revive the petition if cause of action still survives.

Sd/-

(Prashant Kumar Mishra)

Judge

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