

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2960 of 2010

1. Mansingh Sidar, S/o. Late Shriram Sidar, Aged about 43 years, working as Peon, Govt. Higher Secondary School, Manora, Tahsil Manora, District Jashpur, Chhattisgarh
2. Nakul Singh Rathiya, S/o. Late Dasrath Singh Rathiya, Aged about 37 years, working as Peon, Govt. Pre Metric, Girls Hostel, Manora, Tahsil Manora, District Jashpur, Chhattisgarh
3. Deepak Lal Chouhan, S/o. Budram Chouhan, working as Peon, Govt. Pre Metric, Girls Hostel, Manora, Tahsil Manora, District Jashpur, Chhattisgarh
4. Letangu Ram, S/o. Bandhnu Ram, Aged about 38 years, working as Peon, Govt. Pre Metric, Girls Hostel, Manora, Tahsil Manora, District Jashpur, Chhattisgarh
5. Lundru Ram, S/o. Bhashaka Ram, Aged about 35 years, working as Peon, Govt. Pre Metric, Girls Hostel, Shaila, Tahsil Manora, District Jashpur, Chhattisgarh
6. Sudhram, S/o. Bitan Ram, Aged about 35 years, working as Peon, Govt. Pre Metric, Girls Hostel, Rajala, Tahsil Manora, District Jashpur, Chhattisgarh
7. Jaduram, S/o. Aitwa Ram, Aged about 33 years, working as Peon, Govt. Middle School, Tempu, Tahsil Manora, District Jashpur, Chhattisgarh
8. Mohanram S/o. Late Sideshwar Ram, Aged about 37 years, working as Peon, Govt. Girls Hostel, Harrapath, Tahsil Manora, District Jashpur, Chhattisgarh
9. Shiv Nandan Ram, S/o. Lalita Ram, Aged about 38 years, working as Peon, Govt. Middle School, Behrana, Tahsil Manora, District Jashpur, Chhattisgarh
10. Pramila Naidu, D/o. P.B.L. Naidu, Aged about 47 years, working as Peon, Govt. Higher Secondary School, Manora, Tahsil Manora, District Jashpur, Chhattisgarh
11. Ramlal Rathiya, S/o. Chandan Singh, Aged about 38 years, working as Peon, Govt. Higher Secondary School, Jashpur, District Jashpur, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh, Through The Secretary, Department of Tribal Welfare and Development, Dau Kalyan Singh Bhawan, Raipur, Chhattisgarh.
2. State of Madhya Pradesh, Through: Secretary, Department of Tribal Welfare and Development, Vallabh Bhawan, Bhopal, Madhya Pradesh
3. Commissioner, Adivasi Vikas, Raipur, Chhattisgarh
4. Commissioner, Adivasi Vias, Bhopal, Madhya Pradesh
5. Collector, Aadim Jati Kalyan Branch, Jashpur, Tahsil and District Jashpur, Chhattisgarh
6. Assistant Commissioner, Adivasi Vikas Tribal, Jashpur, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Harish Khuntiya, Advocate
For State	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/01/2019

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 petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.
2. Learned counsel for the petitioners submits that the petitioners are in employment from 1992 to 1997 and therefore they are 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 petitioners file detailed fresh representation to respondent no.6 along with all relevant documents in support of their claim including the orders of the State Government as also the orders of the High Court in other connected petitions. She further submits that in case representation is made, the respondent no.6 will 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 petitioners.
5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent no.6 along with all

relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.6 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 petitioners are 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

Khatai