

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2429 of 2016

Jitendra Ram Yadav S/o Basant Ram, Aged About 30 Years R/o Village Lota, Tah Bagicha, Distt. Jashpur, Civil And Revenue Dist. Jashpur, Chhattisgarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Tribal Welfare Development Department, Mahanadi Bhavan, Mantralaya, New Raipur, Chhattisgarh, Chhattisgarh
2. Director, Tribal Welfare Development Department, Indrawati Bhavan, New Raipur, Distt. Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Collector, Jashpur, Distt. Jashpur, Chhattisgarh, District : Jashpur, Chhattisgarh
4. Assistant Commissioner, Tribal Welfare Development Department, Jashpur, Distt. Jashpur, Chhattisgarh, District : Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Manoj Kumar Sinha , Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/08/2019

1. The present writ petition has been filed by the petitioner seeking for the relief of grant of regular payscale on completion of 3 years of regular service.
2. The contention of the petitioner is that the similarly placed persons in the Department have already been granted the said advantage vide Annexure P/2 dated 17.11.2004 in respect of the different districts. He further submits that the petitioner is also entitled for the benefits in terms of the instructions issued by the State Government vide circular dated 07.03.2012.
3. State counsel however submits that it needs verification as to whether the petitioner's basic appointment was under the contingency establishment or not and whether the circular dated 07.03.2012 is one which would be

applicable upon the petitioner and only then would the petitioner become entitled for a similar relief.

4. Without entering into the merits of the case, let the respondents consider and scrutinize the case of the petitioner, so far as his claim for grant of regular payscale on completion of 3 years of service in terms of the instructions/circular of the State Government dated 07.03.2012. After due verification, if the petitioner is found to be similarly placed and the circular is applicable upon the petitioner, appropriate relief be granted to the petitioner forthwith without any further delay.
5. Let a decision in this regard be taken after due verification and scrutiny of the records within a period of 4 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved