NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 369 of 2019

1. Shivnarayan Ram S/o Late Shri Dhopsai Ram, Aged About 52 Years, Posted At Government Middle School Khuhera, Tahsil Kansabel, District Jashpur, Chhattisgarh.
2. Ram Kunwar Yadav D/o Shri Surju Ram, Aged About 52 Years, Posted At Government Middle School Koranga, Tahsil Kansabel, District Jashpur, Chhattisgarh.
3. Adhin Sai S/o Late Shri Amne Ram, Aged About 52 Years, Posted At Government Middle School Tilanga Tahsil Kansabel, District Jashpur, Chhattisgarh.
4. Sudeshan Ram S/o Late Shri Bandhana Ram, Aged About 48 Years, Posted At Government Middle School Chetba, Tahsil Kansabel, District Jashpur, Chhattisgarh.
5. Sikandar Ram Yadav S/o Late Tulsi Ram Yadav, Aged About 49 Years, Posted At Government Higher Seconday School Barjor, Tahsil Kansabel, District Jashpur, Chhattisgarh.
6. Saroj Kumar Karsh S/o Late Shri Sitaram Karsh, Aged About 49 Years, Posted At Office Of Block Education Officer, Kansabel, District Jashpur, Chhattisgarh.
7. Jaipal Ram S/o Sukuru Ram Kumhar, Aged About 56 Years, Posted At Government Higher Secondary School Dokada, Tahsil Kansabel, District Jashpur, Chhattisgarh.
8. Ku. Elizabeth Ekka D/o Late Shri Bisun Ekka, Aged About 50 Years, Posted At Government Boys Higher Secondary School Kansabel, District Jashpur, Chhattisgarh.
9. Rupan Sai S/o Shobhan Sai, Aged About 55 Years, Posted At Government High School Tagargaon, Tahsil Kansabel, District Jashpur, Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Director, Lok Shikshan Sanchanalaya, Indrawati Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. District Education Officer, Jashpur, District Jashpur, Chhattisgarh.
4. Block Education Officer, Kansabel, District Jashpur, Chhattisgarh.

---Respondents

For petitioners : None.
For State : Shri Rahul Mishra, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

18/01/2019.

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 all the petitioners came in employment with the respondents between 1995 - 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 files detailed fresh representation to respondent no.3 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. He further submits that in case representation is made, the respondent no.3 shall 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.3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.3 shall dispose off the same within a period of 90 days form 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

Sumit