

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 440 of 2019

Babita Patel (Choudhary) W/o Shri Kamalkant Choudhary Aged About 32 Years Presently Working As Assistant Teacher (Nagriya Nikay) At Govt. Primary School, Sector 4, Balco, Block Korba, District Korba, Chhattisgarh, District : Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Joint Director, Department Of Urban Administration And Development, Naya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Municipal Officer, Nagar Palik Nigam, Korba, Block Korba, District Korba, Chhattisgarh, District : Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. K.P. Sahu, Advocate
For State	:	Mr. Rahul Mishra, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/01/2019

Ignoring the default pointed out by the Registry as of now with the consent of the parties matter heard on admission.

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.
2. The grievance of the petitioner was that the petitioner was initially appointed under the [Panchayat department](#) and subsequently applied for recruitment on the higher post under the [Municipal Council](#) in the [year 2013](#) and taking both the services, the petitioner

has completed more than 8 years of service and therefore she is entitled for the benefit of higher pay scale.

3. The counsel for the petitioner submits that the issue involved in the present writ petition is squarely covered by the judgment of this Court in a bunch of writ petitions disposed off on 27.10.2018. The lead case of which being ***WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors.)***
4. This aspect is not disputed by the State counsel so far as the matter being similar to the one passed in the case of “***Shabnum Khatun***” (supra).
5. Given the facts and circumstances of the case the present writ petition also deserves to be and is accordingly disposed off in similar terms to the order passed in ***WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors.)***.
6. The writ petition accordingly stands allowed. The petitioner would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-
(P. Sam Koshy)
Judge