

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 600 of 2019

1. Santosh Patel S/o Late Shri Bhagwani Patel Aged About 46 Years Working As Lecturer (Nagriya Nikay) And Posted At Government Boys Higher Secondary School Dongargaon, Block Dongargaon, District - Rajnandgaon Chhattisgarh.
2. Abhishek Kumar Pandey S/o Kapil Narayan Pandey Aged About 30 Years Working As Assistant Teacher (Nagriya Nikay) And Posted At Government Primary School Bodhitola, Block Dongargaon, District - Rajnandgaon Chhattisgarh.
3. Smt. Madhuj Yadav W/o Shri Avinash Yadav Aged About 30 Years Working As Assistant Teacher (Nagriya Nikay) And Posted At Government Primary School Gunderdehi, Block Gunderdehi District - Balod Chhattisgarh.
4. Smt. Jagrita Mandavi W/o Shri Rewat Lal Mandavi Aged About 29 Years Working As Assistant Teacher (Nagriya Nikay) And Posted At Government Primary School Chainganj, Block Gunderdehi, District - Balod Chhattisgarh.
5. Puneshwar Sahu S/o Shri Mulchand Sahu Aged About 30 Years Working As Assistant Teacher (Nagriya Nikay) And Posted At Government Primary School Gunderdehi, Block Gunderdehi, District - Balod Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development Mahanadi Bhawan, Mantralaya Naya Raipur District - Raipur Chhattisgarh.
2. The Secretary Department Of Panchayat Mahanadi Bhawan Mantralaya, Naya Raipur District - Raipur Chhattisgarh. Raipur, Chhattisgarh
3. Chief Municipal Officer Nagar Panchayat Dongargaon, District - Rajnandgaon Chhattisgarh.

4. Chief Municipal Officer Nagar Panchayat Gunderdehi, District - Balod Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Sunita Jain. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/01/2019

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioners for grant of revised pay scale on completion of 8 years of service. The denial to the petitioners were that the petitioners have not completed 8 years of service under the same employer.
2. The grievance of the petitioners were that the petitioners were 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 petitioners have completed more than 8 years of service and therefore he is entitled for the benefit of higher pay scale.
3. The counsel for the petitioners submit 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 petitioners would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-
(P. Sam Koshy)
Judge

Jyoti