

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 735 of 2019

1. Smt.Nitika Bai D/o Devlal Ram, Aged About 22 Years, Present Posted At Pri Matric Girls Hostel Kandora, Post Office Makribadha, Tehsil Duldula, District Jahspur, Chhattisgarh.
2. Chandar Ram D/o Shri Saghanu Ram, Aged About 46 Years, At Present Posted At Govt. High School Bongaon, Village Jamhariya, Post Office Bankela, Tehsil Duldula, District Jashpur, Chhattisgarh.
3. Nehru Lal S/o Karma Ram, Aged About 39 Years, At Present Posted At Govt. High School Bongaon, Village Thutiamba, Post Office Charaidand, Tehsil Duldula, District Jashpur, Chhattisgarh.
4. Shiv Kumar, At Present Posted As Govt High School Vipatpur, Village Duhduhkona, Post Office Dhodharamba And Tehsil Bagicha, District Jahspur, Chhattisgarh.
5. Rajendra Kumar Mishra S/o Shri Kant Mishra, Aged About 47 Years, At Present Posted At Govt. Middle School Jhargan, Post Office And Tehsil Duldula, District Jashpur, Chhattisgarh.
6. Kamtanath Yadav S/o Tuladhaur Ram, Aged About 26 Years, At Present Posted At Govt. Middle School Patratoli, Village Basudevpur, Post Office Partatoli, Tehsil Duldula, District Jashpur, Chhattisgarh.

**---Petitioners**

**Versus**

1. The State Of Chhattisgarh, Through Its Secretary, Department Of School Education Department, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Commissioner, Department Of Adim Jati Vikas Chhattisgarh, Raipur Chhattisgarh.
3. Director, Lok Shikshan Sanchalya, Indrawati Bhawan, New Raipur, Chhattisgarh.
4. Assistant Commissioner, Tribal Development Department, Jashpur, District Jashpur, Chhattisgarh.
5. District Education Officer, Jashpur, District Jashpur, Chhattisgarh.
6. Block Education Officer, Duldula, District Jashpur, Chhattisgarh.

**---Respondents**

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| For petitioners | : | Shri Akhilesh Kumar, Advocate. |
| For State       | : | Shri Rahul Mishra, Dy.G.A.     |

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

05/02/2019

1. Heard.
2. 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.
3. Learned counsel for the petitioners submits that the petitioner no.1 is in employment since 2014, petitioner no.2 & 3 since 2009, petitioner no.4 since 2008, petitioner no.5 since 2015 and petitioner no.6 since 2010 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.
4. At this juncture, learned State counsel submits that it would be better if the petitioners file detailed fresh representation to respondent no.5 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.5 shall decide the same within a further period of three months from the date of receipt of the representation.

5. The proposal of the State counsel is acceptable to the counsel for the petitioners.
6. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent no.5 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 from the date of receipt of the representation.
7. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioners is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.
8. No order as to costs.

Sumit

Sd/-  
(P. Sam Koshy)  
JUDGE