

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1142 of 2016**

1. Chhattisgarh Rajya Vidyut Mandal Shikshak Karmachari Sangh Korba, Through Its Joint Secretary Shri Jitendra Kumar Gole, S/o Late H. S. Gole, Aged About 50 Years, (Asstt. Teacher), R/o OC-39, CSEB Colony, Korba (East) District- Korba, Chhattisgarh
 2. Jitendra Kumar Gole S/o Late H. S. Gole, Aged About 50 Years, Asst. Teacher R/o OC. 39, C.S.E.B. Colony Korba, East, District Korba Chhattisgarh
- Petitioners**

Versus

1. State Of Chhattisgarh Through The Secretary Department Of School Education, Mantralaya Mahandi Bhawan, New Raipur, District Raipur Chhattisgarh
 2. Chhattisgarh State Power Holding Company Limited, Through Director Power Holding Company Limited, Through Director Chhattisgarh State Power Holding Company Limited, Dagania, Raipur Chhattisgarh
 3. Chief Engineer, Chhattisgarh State Power Generation Company Limited, Korba East, District Korba Chhattisgarh
 4. Executive Director, Chhattisgarh State Power Generation Company Limited Korba (West) District Korba, Chhattisgarh
 5. Vidyut Grih Vidyalaya Prabandhan Samiti, Through Secretary, Vidyut Grih Vidyalaya Prabandhan Samiti, Korba East, District Korba Chhattisgarh
 6. Vidyut Nagar Shiksha Samiti, Darri Korba (West) Through Secretary Vidyut Nagar Shiksha Samiti, Korba (West), District Korba Chhattisgarh
- Respondents**

For Petitioners	:	Mr. Garry Mukhopadhyay, Advocate
For Respondents 2 to 4	:	Mr. Vaibhav Maheshwari under instruction of Mr. Abhishek Sinha, Advocate

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

26.07.2019

1. The relief sought for by the petitioners in the present writ petition is for an appropriate direction to the respondents to consider granting of dearness allowance to the petitioners at par with the teachers in the State Government.
2. The petitioners, at this juncture, submits that they have already made couple of representations in this regard to the respondents 5 & 6 under whom they are discharging their duties and the respondents 5 & 6 have till date not taken a decision.
3. Counsel appearing for the respondents 2 to 4 submits that they are not in fact the appropriate authorities to decide and redress the grievance of the petitioners as the school under which the petitioners are working is not directly under the control of respondents 2 to 4. Contention of the counsel for the respondents 2 to 4 is that the only relationship that the respondents 2 to 4 have, is providing some financial assistance to the institution as part of their welfare measure.
4. Given the aforesaid factual contentions raised on either side, this Court is of the opinion that since the petitioners themselves have made a request for early deciding the representation, nothing further remains to be adjudicated in the writ petition as of now.

5. The writ petition accordingly stands disposed of with a direction to the respondents 5 & 6 to consider and decide the representation of the petitioners so far as the claim for enhanced dearness allowance is concerned. It is expected that the respondents 5 & 6 shall decide the matter at the earliest.
6. It is made clear that this Court has not made any opinion on the merits of the case so far as the entitlement of the petitioners is concerned.

**Sd/-
P. Sam Koshy
Judge**