

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 598 of 2009**

- Dr. Smt. Shakuntala Tripathi, aged about 51 years, W/o Shri Anil Tripathi, presently working as Assistant Professor, Government College, Chhuikhadan, Distt. Rajnandgaon C.G.

---- Petitioner**Versus**

1. State Of Chhattisgarh through Secretary, Department of Higher Education, Mantralaya Dau Kalyan Singh Bhawan, Raipur Chhattisgarh
2. Commissioner Higher Education Department Government of Chhattisgarh, Office at Government Science College Premises, raipur C.G.
3. The Principal, Government College, Chhuikhadan, Distt. Rajnandgaon C.G.

---- Respondents

For Petitioner	:-	Shri Animesh Verma, Advocate
For Respondent-State	:-	Ms. Fouzia Mirza, Addl. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

28/11/2019

1. Heard.
2. Petitioner was appointed as the Assistant Professor (Emergency) on 17.12.1986. She was regularized w.e.f. 24.12.1998. Petitioner is claiming senior and selection grade pay scale w.e.f. 1992 & 1997 respectively on the ground that services rendered as Emergency

Appointee Professor shall also be calculated for according the said benefit.

3. Admittedly, similar issue has come up for consideration before this Court in the matter of **Dr. Phool Das Mahant vs. State of Chhattisgarh & Ors.** in WPS No. 785 of 2015 and other connected matters decided by common order dated 22.9.2015. Paragraph 14 of the order passed in Dr. Phool Das Mahant (supra) read as :-

“14. In view of the above, all the writ petitions stand allowed. The State Government shall consider the case of all the petitioners/ emergency appointees for grant of Senior Pay Scale/Selection Grade Pay Scale by treating the services rendered by them from the initial date of appointment as regular appointment for the purpose of conferring the benefit of Senior Pay Scale and Selection Grade Pay Scale. Needless to say, in view of the above order, the order impugned cannot be given effect to by the State Government of Chhattisgarh.”

4. The issue raised in the present petition being similar and covered with the decision rendered in Dr. Phool Das Mahant (Supra), the present petition is also allowed in the same terms.
5. The copy of the order passed in Dr. Phool Das Mahant (Supra) and other connected matters be placed in the record of the Writ Petition.

SD/-
(**Prashant Kumar Mishra**)
Judge