

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1276 of 2019**

1. Abdul Hakim Meman S/o Ahmad Bhai Aged About 49 Years Working As Assistant Grade - Ii, At Govt. Assistant Commissioner Tribal Welfare Department Dhamtari, Block And District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
2. Sant Kumar Dewangan S/o Shri Chaman Lal Dewangan Aged About 47 Years Working As Assistant Grade - Iii, At Govt. Assistant Commissioner Tribal Welfare Department, Dhamtari, Block And District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
3. Mohan Lal Gayakwad S/o Babulal Gayakwad Aged About 50 Years Working As Peon, At Govt. Middle School, Banround, Block Nagri, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
4. Hemlal Netam S/o Bhakturam Netam Aged About 48 Years Working As Peon, Govt. Higher Secondary School, Kukrel, Block Nagari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
5. Gopal Ram S/o Jhurhooram Aged About 50 Years Working As Assistant Grade - Iii, At Govt. High School Khallari, Block Nagari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
6. Bhupeshwar Kumar Sahu S/o Tukaram Sahu Aged About 46 Years Working As Assistant Grade - Iii, At Assistant Commissioner Tribal Welfare Department Dhamtari, Block And District Dhamtrari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner Tribal Welfare Department, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Director Lok Shikshan Sanchanalaya, Indrawati Bhawan, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. District Education Officer Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
5. Assistant Commissioner, Tribal Welfare Department, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

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For Petitioner	:	Mr. Harish Khuntiya, Advocate.
For State	:	Mr. Arvind Dubey, PL

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

25/02/2019

1. 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 petitioner under the contingency services immediately on completion of three years of service from the initial date of appointment.
2. Learned counsel for the petitioner submits that the petitioner is in employment since 1992 to 1995 and therefore he is 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.
3. At this juncture, learned State counsel submits that it would be better if the petitioner files detailed fresh representation to respondent no. 4 & 5 along with all relevant documents in support of his 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. 4 & 5 shall decide the same within a further period of three months from the date of receipt of the representation.
4. The proposal of the State counsel is acceptable to the counsel for the petitioner.
5. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file fresh representation to respondent no. 4 & 5 along with all relevant documents in this regard giving benefit to similarly placed persons

and on such representation being made, respondent no. 4 & 5 shall dispose off the same within a period of 90 days from the date of receipt of the representation.

6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.
7. No order as to costs.

Sd/-

(P. Sam Koshy)
Judge

Rohit