

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 1739 of 2019

Afjal Ali S/o Mr. Sarwar Ali Aged About 40 Years By Occupation Lecturer Panchayat, Govt. Boys H S Abhanpur, Block Narharpur, District Uttar Baster Kanker Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary, Education Department, Sanchanalaya, Naya Raipur, District Raipur Chhattisgarh.
2. Chief Executive Officer Zila Panchayat District Uttar Baster Kanker Chhattisgarh.
3. Commissioner Tribal Welfare Department, Block 4 A Ground Floor, Indravati Bhawan, Naya Raipur District Raipur Chhattisgarh.
4. Secretary Panchayat And Rural Development Department, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Parag Kotecha, Advocate
For State	:	Shri Rahul Mishra, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/03/2019

1. So far as default No.1 is concerned, the petitioner is directed to ensure that default is cured during the course of day.
2. With the consent of the parties, the matter is heard finally.
3. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.
4. The grievance of the petitioner was that the petitioner was initially appointed under the [Panchayat department](#) and subsequently applied for recruitment on the higher post under the Development

Commissioner in the year 2012 and taking both the services, the petitioner has completed more than 8 years of service and therefore he is entitled for the benefit of higher pay scale.

5. The counsel for the petitioner submits 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.)**
6. 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).
7. 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.)**.
8. The writ petition accordingly stands allowed. The petitioner would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-

(P. Sam Koshy)
Judge

inder