

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1683 of 2019

1. Towaram Sahu S/o Pancharam Sahu, Aged About 54 Years, Working As Peon, At Govt. Office Of Project Administrator Integrated Tribal Development Project Nagri, Block Nagri, District- Dhamtari, Chhattisgarh.
2. Omprakash Sahu S/o Kalyan Sigh Sahu, Aged About 57 Years, Working As Peon Govt. High School, Ghutkel Block Nagri, Distrtict- Dhamtari, Chhattisgarh.
3. Onkar Singh Dhruv S/o Ramchandra Dhruv, Aged About 52 Years, Working As Peon, At Govt. Middle School, Ghutgaon, Block Nagri, Distrtict- Dhamtari, Chhattisgarh.
4. Pokhanlal Netam S/o Mehattar Ram Netam, Aged About 50 Years, Working As Peon, Govt. Middle School, Rajpur, Block Nagri, District- Dhamtari, Chhattisgarh.
5. Rishi Lal Soni S/o Laxman Lal Soni, Aged About 52 Years, Working As Lecturer (Hindi), At Govt. Singrishi Higher Secondary School Nagri, Block Nagri, Distrtict- Dhamtari, Chhattisgarh.

---Petitioners

**Versus**

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

---Respondents

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| For petitioners | : | Shri Harish Khuntiya, Advocate.  |
| For State       | : | Shri Arvind Dubey, Panel Lawyer. |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

11/03/2019

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 1997 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 respondents 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 respondents 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 respondents no. 4 & 5 along with all relevant documents in this regard giving benefit to similarly placed

persons and on such representation being made, respondents no. 4 & 5 shall dispose off the same within a period of 90 days form 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**

Sumit