

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1971 of 2019

1. Ramcharan Bhortiya S/o Ram Chanda, Bhortiya Aged About 35 Years Working As Lecturer (Nagriy Nikay) And Posted At Govt. Aa. Ramanuj Higher Secondary School Baikunthpur, Block Baikunthpur, District Korea Chhattisgarh.
2. Smt. Deepti Jain W/o Shri Navin Jain Aged About 30 Years Working As Lecturer (Nagriya Nikay) And Posted At Govt. Ba. Higher Secondary School Dhamdha Block Dhamdha, District Durg Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur, Chhattisgarh.
2. The Secretary Department Of Panchayat, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
3. Chief Municipal Officer Nagar Palika Parishad Baikunthpur, District Korea Chhattisgarh.
4. Chief Municipal Officer Nagar Panchayat Dhamdha, District Durg Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/03/2019

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioners for grant of revised pay scale on completion of 8 years of service. The denial to the petitioners was that the petitioners have not completed 8 years of service under the same employer.
2. The grievance of the petitioners was that the petitioners were initially appointed under the [Panchayat department](#) and subsequently

applied for recruitment on the higher post under the [Nagriya Nikay](#) in the [year 2012 and 2011 respectively](#) and taking both the services, the petitioners have completed more than 8 years of service and therefore [they are entitled](#) for the benefit of higher pay scale.

3. The counsel for the petitioners 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.)***
4. 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).
5. 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.)***.
6. The writ petition accordingly stands allowed. The petitioners would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-
(P. Sam Koshy)
Judge

Ved