

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2213 of 2019**

1. Archana Agrawal W/o Shri Puran Lal Agrawal Aged About 55 Years Head Master, R/o Mangali Bazar, Near Pani Tanki, Pendra Road, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Ashok Kumar Verma S/o Late Shri M.L. Verma Aged About 60 Years Head Master, R/o Village And Post Korja, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Education And Tribal Welfare Department, Mantralaya, Mahanadi Bhawan Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Accountant General Office Baloda Bazar Road, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Joint Director Kosh Lekha Evam Pension Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ashok Soni, Advocate
For State	:	Mr. Saleem Kazi, Dy. AG

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/03/2019**

1. The dispute in the present writ petition is to the non consideration of the petitioner for grant of regular pay scale from the date of initial appointment.
2. The present is the second round of litigation. The petitioner had filed WPS No. 5805/2008. The said writ petition got disposed off on

18/10/2008. The writ petition was disposed off with direction to the petitioner to prefer the representation of the department who in turn shall pass an appropriate decision within a period of 30 days from the date of receipt of the representation and along with the petitioner one Shri Shiv Narayan Singh was also petitioner in the said writ petition i.e. WPS 5805/2008.

3. Counsel for the petitioners in the present case drew the attention of this Court to an order passed by the State Government dated 26/02/2018 (P-7) whereby the State Government has taken a decision to grant the benefit of regular pay scale from the date of initial appointment to a bunch of identically placed persons who were also similarly placed.
4. Surprisingly, in the said order dated 26/02/2015 one of the beneficiary is also Shiv Narayan Singh who was the petitioner along with the present petitioner in WPS No. 5805/2008. However, the department for reasons best known have not granted or extended the benefit to the present petitioners.
5. Given the said facts, let respondents No. 1 & 4 verify the credentials of the petitioner and compare the case of the petitioner with that of Shiv Narayan Singh who was appointed along with the petitioner and for whom the benefit has been extended and in case, the petitioner is found identically placed, the petitioner herein be also extended same benefits. In case, if the department reaches to the conclusion that the petitioner is not entitled for the said benefit, then the petitioner should be duly intimated giving the reason as to why they are not entitled.
6. Let this exercise be concluded by the respondents No. 1 & 4 within a period of three months from the date of receipt of copy of this order.

7. Accordingly, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit