

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1891 of 2019**

1. Punaram Dhruv S/o Anant Ram Dhruv Aged About 52 Years Working As Assistant Chowkidar, At Govt. Pre Metric Boys Hostel, Dumarpali, Block Mahasamund, District Mahasamund Chhattisgarh
2. Jaisingh Dhruw S/o Sahashram Dhruv Aged About 52 Years Working As Cook, Govt. Pre Metric S.T. Boys Hostel, Sirpur, Block Mahasamund, District Mahasamund Chhattisgarh
3. Santram Bhoi S/o Jalindhar Bhoi Aged About 45 Years Working As Waterman, Govt. Adivasi Girls Ashram, Sagundhap, Block Pithora, District Mahasamund Chhattisgarh
4. Nirmal Prasad S/o Kriparam Aged About 52 Years Working As Waterman, Govt. Pre Metric S.T. Hostel, Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
5. Roopnarayan Pandey S/o Hirawan Pandey Aged About 52 Years Working As Cook, Govt. Adivasi Girls Ashram, Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
6. Nitiyanand Vishal S/o Mahadev Vishal Aged About 42 Years Working As Waterman, Govt. Adivasi, Girls Ashram, Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
7. Ahilya Bai D/o Dhanauram Aged About 51 Years Working As Cook, Govt. Pre Metric S.T. Girls Hostel, Bicchiya, Block Basna, District Mahasamund Chhattisgarh
8. Pyarelal Nirala S/o Banwari Lal Aged About 52 Years Working As Cook, Govt. Pre Metric Boys Hostel Sirpur, Block And District Mahasamund Chhattisgarh
9. Rajkumar Dhruv S/o Bhagwani Dhruv Aged About 48 Years Working As Cook, Govt. Girls Hostel Sirpur, Block And District Mahasamund

Chhattisgarh

10. Sunil Kumar Singh S/o Vasudev Singh Aged About 53 Years Working As Chowkidar, Govt. Post Pre Metric Boys Hostel Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
11. Santosh Kumar S/o Mukteshwar Kumar Aged About 45 Years Working As Cook, Govt. Pre Metric S.T. Boys Hostel Baloda, Block Saraipali, District Mahasamund Chhattisgarh
12. Rammath S/o Puniram Aged About 50 Years Working As Chowkidar. Govt. Adivasi Boys Hostel Tosgaon, Block Saraipali, District Mahasamund Chhattisgarh
13. Arjun Singh Durga S/o Late Pavitro Durga Aged About 52 Years Working As Waterman, Govt. Post Pre Metric Adivasi Boys Hostel Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
14. Chhedulal S/o Shamlal Patel Aged About 46 Years Working As Cook, Govt. Pre Metric Adivasi Hostel Jagdishpur, Block Pithora, District Mahasamund Chhattisgarh
15. Bhagirathi Bhoi S/o Padman Bhoi Aged About 52 Years Working As Cook, Govt. Adivasi Boys Hostel Saldih, Block Pithora, District Mahasamund Chhattisgarh
16. Sukhiram Bhoi S/o Kunwar Bhoi Aged About 53 Years Working As Cook, Govt. Boys Ashram Chanaudih, Block Pithora, District Mahasamund Chhattisgarh
17. Manoranjan S/o Bhuvneshwar Pradhan Aged About 52 Years Working As Chowkidar, Govt. Post Metric Adivasi Girls Hostel Basna, Block Basna, District Mahasamund Chhattisgarh
18. Rohit Kumar Pradhan S/o Roopdhar Pradhan Aged About 53 Years Working As Peon, Govt. Adivasi Boys Hostel Pirda, Block Pithora, District Mahasamund Chhattisgarh

19. Sait Kumar Bhoi S/o Vrisabh Bhoi Aged About 52 Years Working As Cook, Govt. Pre Metric Boys Hostel Sankara (Jonk), Block Pithora, District Mahasamund Chhattisgarh
20. Smt. Uma Bai S/o Nirmal Prasad Aged About 51 Years Working As Cook Govt. Adivasti Girls Ashram, Saraipali, Block Saraipali, District Mahasamund Chhattisgarh
21. Tejram Sahu S/o Mansaram Sahu Aged About 51 Years Working As Waterman, Govt. Pre Metric Adivasti Boys Hostel Jhalap, Block And District Mahasamund Chhattisgarh
22. Kartik Ram S/o Maheshram Aged About 57 Years Working As Chowkidar, Govt. Pre Metric Adivasi Boys Hostel Jhalap, Block And District Mahasamund Chhattisgarh
23. Basant Lal Kaiwartya S/o Mohan Lal Kaiwartya Aged About 53 Years Working As Waterman, Govt. Pre Metric Adivasi Boys Hostel Tosgaon, Block Saraipali, District Mahasamund Chhattisgarh
24. Smt. Malti Bai W/o Hazaru Bhoi Aged About 54 Years Working As Cook, Govt. Pre Metric Girls Hostel Gadphuljhar, Block Basna, District Mahasamund Chhattisgarh
25. Smt. Padma Bai W/o Ugrasen Rawat Aged About 55 Years Working As Cook, Govt. Pre Metric Girls Hostel Pithora, Block Pithora, District Mahasamund Chhattisgarh
26. Deenanath Sahu S/o Puriram Sahu Aged About 50 Years Working As Cook, Govt. Pre Metric Boys Hostel Badesajapani, Block Basna, District Mahasamund Chhattisgarh
27. Puran Singh Jagat S/o Dhaja Ram Jagat Aged About 57 Years Working As Waterman, Govt. Pre Metric Boys Hostel Sajapani, Block Basna, District Mahasamund Chhattisgarh
28. Ugrasen Pradhan S/o Chitro Pradhan Aged About 51 Years Working As Chowkidar, Govt. Adivasi Boys Hostel, Barekelkhurd, Block

Pithora, District Mahasamund Chhattisgarh

29. Smt. Urmila W/o Jayanta Yadav Aged About 50 Years Working As Cook, Govt. Adivasi Girls Hostel Komakhan, Block Bagbahra, District Mahasamund Chhattisgarh

---- **Petitioners**

Versus

1. State Of Chhattisgarh Through Secretary, Tribal Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Commissioner, Tribal Welfare Department, Raipur, District Raipur Chhattisgarh
3. Director, Lok Shikshan Sanchanalay, Raipur Chhattisgarh
4. Assistant Commissioner, Tribal Welfare Department, Mahasamund, District Mahasamund Chhattisgarh

---- **Respondents**

For Petitioners	:	Mr. Harish Khuntiya, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

25.03.2019

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 petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.

2. Learned counsel for the petitioners submits that the petitioners are in employment since 1992- 1995 and therefore they are 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 petitioners file detailed fresh representation to respondent 4 along with all relevant documents in support of their 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 4 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 petitioners.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent 4 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent 4 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 petitioners are 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**