

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2812 of 2019

1. Sarkeel Ram S/o Shri Naya Ram Aged About 32 Years Present Posting At Pre-Matric Boys Hostel Shekharapur, Village Dumarbahar Post Shekharapur, Tehsil Pathalgaon District Jashpur Chhattisgarh
2. Nehru Ram Aged About 33 Years Present Posting At Govt. Higher Secondary School Shekharapur, Village Dumarpur Post Shekharapur, Tehsil Pathalgaon District Jashpur Chhattisgarh
3. Veer Kunwar Sai S/o Anirudha Sai Aged About 31 Years Present Posting At Govt. Middle School Judwain Block Duldula District Jashpur Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary Department Of School Education Department Department, Mahanadi Bhawan New Raipur Chhattisgarh
2. Veer Kunwar Sai S/o Anirudha Sai Aged About 31 Years Present Posting At Govt. Middle School Judwain Block Duldula District Jashpur Chhattisgarh
3. Director Lok Shikashan Sanchnalaya Indrawati Bhawan New Raipur Chhattisgarh
4. The Collector, Jashpur, District Jashpur Chhattisgarh
5. The Director, Tribal Development Welfare Department Raipur Chhattisgarh
6. The Assistant Commissioner Tribal Development Welfare Department Jashpur Chhattisgarh
7. District Education Officer, Jashpur, District Jashpur Chhattisgarh
8. Block Education Officer Pathalgaon District Jashpur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Akshilesh Kumar, Advocate.
For State	:	Mr. Saleem Kazi, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

09/05/2019

1. The claim raised by the petitioners in the instant case is for grant of regular pay scale on their completing 3 years of continuous service with the respondents.
2. Learned counsel for the petitioners submits that the petitioners herein have been appointed on different dates ranging between 2009 to 2012 and since then they are in continuous employment. He submits that as per the circular of the State Govt. the petitioners are entitled for grant of regular pay scale on completion of 3 years continuous 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 no.3 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, respondent no.3 shall decide the same within a 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 off with liberty to the petitioners to file fresh representation to respondent no.3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.3 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 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 cost.

Sd/-
(P. Sam Koshy)
Judge