

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2457 OF 2019**

1. Vinod Kumar Patnaik S/o Late Bharat Lal Patnaik Aged About 45 Years Working As Peon, Government Boys Higher Secondary School, Bagicha, Block Bagicha, District - Jashpur Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through Secretary, School Education Department, Mantralaya Mahanadi Bhawan, New Raipur District - Raipur Chhattisgarh.
2. Commissioner Tribal Welfare Department, Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Director Lok Shikshan Sanchanalaya, Indrawati Bhawan, New Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. District Education Officer Jashpur District Jashpur Chhattisgarh.
5. Assistant Commissioner Tribal Welfare Department, Jashpur, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Harish Khutia, Advocate.
For Respondent-State	:	Shri Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04.04.2019**

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 12.08.1995 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 respondent Nos. 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 respondent Nos. 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 respondent Nos. 4 & 5 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent Nos. 4 & 5 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 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