

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 2691 OF 2019**

Lukesh Kumar Dewangan S/o Shri Gangaram Dewangan Aged About 31 Years Occupation- Asstt. Teacher (Lb) Navin Govt. Primary School, Balsamundpara, Pallari, District- Balodabazar-Bhatapara, Chhattisgarh.

...Petitioner(s)

Versus

1. State Of Chhattisgarh Through- The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Atal Nagar, District- Raipur, Chhattisgarh.
2. The Director, Department Of Urban Administration And Development, Indravati Bhawan, D-Block, 4th Floor, Atal Nagar, District- Raipur, Chhattisgarh.
3. The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
4. The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
5. District Education Officer, District- Balodabazar-Bhatapara
6. The Chief Municipal Officer, Nagar Panchayat, Pallari, District- Balodabazar-Bhatapara.

... Respondent(s)

For Petitioner	:	Shri Azad Siddique, Advocate.
For Respondent-State	:	Shri Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.04.2019

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.
2. The grievance of the petitioner was that the petitioner was initially appointed under the Urban Administration [department](#) and subsequently applied for recruitment on the higher post under the Education Department and taking both the services, the petitioner has completed more than 8 years of service and therefore [he is entitled](#) for the benefit of higher pay scale.

3. The counsel for the petitioner 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 petitioner would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-
(P. Sam Koshy)
Judge