

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3794 of 2019

Sant Kumar Joshi S/o Shri Darash Ram Joshi Aged About 41 Years
Presently Working As Lecturer (Nagariya Nikay) At Govt. Higher
Secondary School, Barpali Champa, Block Bamhnidih, District Janjgir
Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban
Administration And Development, Mantralaya, Mahanadi Bhawan, Naya
Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Joint Director Department Of Urban Administration And Development,
Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Municipal Officer Municipal Council, Champa, District Janjgir
Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Block Education Officer Block Bamhnidih, District Janjgir Champa
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. CJK Rao, Advocate
For State	:	Ms. Shriya Mishra, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/05/2019

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 [Panchayat department](#) and subsequently

applied for recruitment on the higher post under the [Municipal Council](#) in the [year 2013](#) 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

Rohit