

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4370 of 2019

Smt. Franciska Kujur W/o Shri Joseph Kujur Aged About 44 Years Lecturer (Panchayat), Government Higher School Kadro, Post Kadro, District Jashpur Chhattisgarh, R/o Village Pakargaon, Tahsil Pathalgaon, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur., District : Raipur, Chhattisgarh
2. Chief Executive Officer Zila Panchayat Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Pathalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Ms. Meena Shastri, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

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

19/06/2019

1. This is the second round of litigation. The claim of the petitioner is for grant of revised pay-scale on completion of 8 years of service by counting the services rendered by the petitioner on the lower post.
2. The first round of litigation i.e. WPS No. 1609/2018 stood disposed of by this Court on 20.02.2018. Pursuant to that order, the State Government seems to have taken a decision for granting the benefit of revised pay-scale to the petitioner vide order dated 23.08.2018 (Annexure P/3). However, in the said order, there was an observation made at the bottom stating that the decision would be subject to the outcome of the appeal preferred by the State Government i.e. Writ Appeal No. 314/2018. The said writ appeal also now stands rejected vide order dated 13.09.2018. As a result of the rejection of the appeal, the order passed by this Court has attained its finality and the

order of the State Government dated 23.08.2018 has now to be complied with.

3. The petitioner makes a categorical statement that though there is an order in her favour as early as on 23.08.2018, but till date it has not been complied with.
4. Given the said facts and circumstances of the case, particularly taking of the order dated 23.08.2018 of the State Government and the subsequent order of the Division Bench rejecting the writ appeal preferred by the State i.e. Writ Appeal No. 314/2018, this Court does not find any good reason for the State not to comply with the order dated 23.08.2018 unless the order of the Single Bench as well as the Division Bench is subjected to challenge before the Hon'ble Supreme Court.
5. Accordingly, the present writ petition stands disposed of with a direction to the respondents No. 2 & 3 to ensure that the order dated 23.08.2018 is complied with at the earliest without any further delay preferably within a period of 4 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved