

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 4969 of 2019**

Sanjay Kumar Mishra S/o Raj Narayan Mishra, Aged About 42 Years  
Working As Lecturer (L.B.) At Govt. Higher Secondary School  
Sasaha, Block Pallari, District Balodabazar- Bhatapara, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya Naya Raipur, District Raipur Chhattisgarh
3. Commissioner Cum Director, Directorate Of Panchayat, Atal Nagar New Raipur, District Raipur Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Balodabazar - Bhatapara, District Balodabazar – Bhatapara, Chhattisgarh

**----Respondents**

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| For Petitioner | : | Mr. Govind Dewangan, Advocate. |
| For State      | : | Mr. Samir Behar, P.L.          |

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

**08/07/2019**

1. The claim of the petitioner in the present writ petition is confined to the extent that the petitioner should have been granted benefit of revised pay scale on his completing 8 years of service starting from his initial date of engagement.

2. The petitioner initially was not granted the revised pay scale. Some of the similarly placed persons had filed writ petitions, the leading of which was WPS No. 2530/2017 in the case of Mukesh Kumar Patel & another Vs. State of CG & another. This Court vide order dated 28.11.2017 held that the petitioners therein would be entitled for the revised pay scale.
3. The dispute now is that though the respondents have granted the benefit of revised pay scale w.e.f. 06.10.2018, the petitioner would have been entitled for the same on his completing 8 years of service i.e. in October, 2016.
4. According to the petitioner, the respondents have not taken any policy decision as to whether the petitioner would be entitled for the revised pay scale from the date the petitioner completed 8 years service or it would be given effect prospectively in the light of the judgment of this Court in the case of Mukesh Kumar Patel (supra).
5. Without entering into the merits of the case, taking into consideration the judgment of this Court in the case of Mukesh Kumar Patel (supra), let the respondents 3 & 4 take an appropriate decision at the earliest specifically deciding whether the petitioner would be entitled for the benefit of revised pay scale from October, 2016 i.e. on his completing 8 years of service or it would be only prospectively from 06.10.2018. Let this order be complied with by respondents 3 & 4 within a period of 90 days from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise

respondents 3 & 4 so far as the order passed by this Court is concerned.

6. The writ petition accordingly stands disposed of.

**Sd/-  
(P. Sam Koshy)  
Judge**

Khatai