

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4960 of 2019

1. Domar Singh Verma, S/o Sukhnandan Verma, Aged About 39 Years, Working As Lecturer (Panchayat) At Govt. Higher Secondary School Sasaha, Block Pallari, District Baloda Bazar 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 Directorate Of Panchayat Atal Nagar New Raipur, District Raipur Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Baloda Bazar Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh

---Respondents

For Petitioner	:	Mr. Govind Dewangan, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.07.2019

1. Ignoring the default pointed out by the Registry, with the consent of the parties, the matter is heard finally at motion stage and disposed off.
2. 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 completing 8 years of service starting from his initial date of engagement.

3. 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.
4. 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 July, 2014.
5. 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).
6. 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 Respondent No. 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 July, 2014 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 the Respondent No. 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 the Respondent No. 3 & 4, so far as the order passed by this Court is concerned.

7. The present Writ Petition, accordingly stands disposed off.

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