

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5005 of 2019

1. Smt. Kranti Deshmukh W/o Sunil Kumar Deshmukh Aged About 46 Years Working As Teacher (L.B.) At Govt. Middle School Model Town, Bhilai, Block Durg, District- Durg, Chhattisgarh
2. Smt. Nimisha Agrawal W/o Ravishankar Agrawal Aged About 45 Years Working As Teacher (L.B.) At Govt. Middle School Sector-7, Bhilai, Block Durg, District- Durg, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
2. Secretary Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
3. Director Department Of Urban Administration And Development, Naya Raipur, District- Raipur, Chhattisgarh
4. Distict Education Officer Durg, District- Durg, Chhattisgarh
5. Commissioner Nagar Palik Nigam, Bhilai, District- Durg, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Vikas Dubey, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/07/2019

1. The dispute raised in the present Writ Petition is the non-consideration of the case of the petitioners for grant of revised pay scale on completion of 8 years of service. The denial to the petitioners was that the petitioners have not completed 8 years of service under the same employer.

2. The grievance of the petitioners was that they were initially appointed under the [Panchayat department](#) and subsequently participated in the fresh recruitment proceedings and were successful and joined under the Urban Administration, the petitioners have completed more than 8 years of service and therefore they are entitled for the benefit of higher pay scale.
3. The counsel for the petitioners 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 petitioners would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

Sd/-
(P. Sam Koshy)
Judge