

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5416 of 2019

1. Smt. Kalpna Yadav, W/o Dipendra Yadav Aged About 32 Years Working As Lecturer Nagriya Nikay, Govt. Multipurpose Higher Secondary School Durg, Block And District Durg Chhattisgarh.
2. Ku. Garima Gangrale D/o Shri Nand Prasad Gangrale Aged About 28 Years Working As Lecturer Nagriya Nikay, Govt. Multipurpose Higher Secondary School Durg, Block And District Durg Chhattisgarh
3. Smt. Hiteshwari Sahu W/o Shri Manish Sahu Aged About 31 Years Working As Lecturer Nagriya Nikay, Govt. Multipurpose Higher Secondary School Durg, Block And District Durg Chhattisgarh.
4. Smt. Rashmi Sahu W/o Shri Anil Kumar Sahu Aged About 40 Years Working As Lecturer Nagriya Nikay (Lb) Govt. Higher Secondary School Saja, Block Saja, District Bemetara Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. Commissioner Cum Director Directorate Of Panchayat, Naya Raipur, District Raipur Chhattisgarh.
3. Chief Executive Officer Jila Panchayat Durg, District Durg Chhattisgarh.
4. Chief Executive Officer Jila Panchayat, Bemetara, District Bemetara Chhattisgarh.
5. Chief Municipal Officer Durg, District Durg Chhattisgarh.
6. Chief Municipal Officer Bemetara, District Bemetara Chhattisgarh
7. District Education Officer Bemetara, District Bemetara Chhattisgarh

---Respondents

For Petitioners	:	Mr. Harish Khuntiya, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29/07/2019

1. The grievance of the petitioners is that the petitioners have rendered service for more than 8 years and despite that though they were entitled for revised pay-scale on completion of 8 years, the same was denied.

2. Learned counsel for the petitioners submits that wrongly in the petition joining service year of 2013 has been written, whereas all the petitioners have completed more than 8 years of service. He further submits that the issue is covered by the judgment of this Court passed in WPS No. 4680/2019, on 27.06.2019 and the similar order may be passed, wherein the note laid down in the case of Shabnum Khatun in WPS No. 6147/2018 was relied on. In WPS No. 6147/2018, the following orders were passed:

“34. It is directed that the respondents shall subject to verification so far as the eligibility and fulfillment of the requisites consider the case of the petitioners for the purpose of grant of higher pay scale by taking the previous service of the petitioners as qualifying service for the purpose of counting the total length of service and all those persons who are found eligible for obtaining the benefit, let appropriate orders be issued.”

3. Therefore, in view of the aforesaid directions it is observed that the respondents shall consider the services of the petitioners and if they are entitled and have rendered more than 8 years of service then accordingly their claim may be considered taking into consideration the entire service including the past service.
4. 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/-
(Goutam Bhaduri)
Judge

Ved