

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5690 of 2019**

1. Smt. Vidyawati Bhatnagar W/o Shri M. Bhatnagar Aged About 42 Years Working As Lecturer (Nagriya Nikay) And Posted At Govt. Higher Secondary School Mongara, Block Katghora, District Korba Chhattisgarh
2. Smt. Manju Tripathi W/o Shri Kamlesh Kumar Tripathi Aged About 40 Years Working As Lecturer (Nagriya Nikay) And Posted At Government Girls Higher Secondary School Balconagar, Block Korba, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Adminstration Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh
2. Commissioner Municipal Corporation Korba, District Korba Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Vinod Kumar Sharma Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/08/2019**

1. The grievance in the present writ petition is that the Petitioners have been denied the arrears of the revised pay scale which the Petitioners would be entitled for on their completing of 8 years of service w.e.f. 26.08.2016 and 02.07.2016 onwards.
2. According to the Petitioners, by virtue of the judgment of this Court **Mukesh Kumar Patel Vs. State of Chhattisgarh** passed in **WPS 2530 of 2017** decided on **26.11.2017**. This Court had held that the Petitioners would be entitled for the revised pay scale on completion of 8 years of service.
3. According to the Petitioners, the said benefit has been extended only w.e.f. 18.04.2019 & 19.02.2019 whereas it ought to had been from

26.08.2016 & 02.07.2016 as the Petitioners had completed 8 years of services on 26.08.2016 & 02.07.2016.

4. The Counsel for the Petitioners submits that the grievance which now remains is that the benefit is being provided to the Petitioners prospectively and though the respondents have made a calculation which the Petitioners were entitled for from the date of their completion of 8 years of service but no effective orders have been passed nor have department taken any steps for release of the arrears of payment. The Petitioners pray for appropriate direction to the respondents for releasing the said amount. According to the Petitioners, they had completed their 8 years of service between the period 2008 to 2016 and accordingly they were entitled for the benefit of revised pay scale immediately on completion of 8 years of service. However, the benefit has been extended to the Petitioners only w.e.f. 18.04.2019 & 19.02.2019. Thus, the present writ petition has been filed seeking for direction to the respondents to consider the claim of the arrears of benefit between from the date petitioners completed 8 years of service till it was actually paid to the petitioners on 18.04.2019 & 19.02.2019.
5. Without entering into the merits of the case and taking into consideration the judgment of this Court in the case of Mukesh Patel (Supra) which has also been affirmed by the Division Bench and taking note of the fact that respondents have complied with the order to the extent of granting revised pay scale to the petitioners, let respondent No. 2 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioners are

entitled for. Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order.

6. The present writ petition stands disposed off.

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

Jyotijha