

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6559 of 2019

Rajesh Singh Thakur S/o Late Durgesh Kumar Singh Thakur Aged About
56 Years Headmaster Government Middle School, Pandri, Block Marwahi
District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar Naya Raipur, District Rapiur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director, Directorate Of Chhattisgarh Pubic Instruction, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer, Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Block Education Officer, Marwahi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. S. K. Kushwaha, Advocate.
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/08/2019

1. The petitioner was initially appointed as Deputy Teacher against the post of Assistant Teacher on a fixed pay of Rs.150/-. After completion of probation period,he was granted regular pay scale.
2. Learned counsel appearing for the petitioner submitted that the issue involved in the case is as to whether the petitioner is entitled to regular pay scale with effect from the date of initial appointment or after completion of probation period.

3. The issue involved herein was considered by the **Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A.No.2745/89 (Madhukant Yadu and 56 Others v. State of M.P. & others)**, wherein it was held that the similarly situated teachers are entitled to regular pay scale with effect from the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from the date of initial appointment.
4. Learned counsel appearing for the petitioner also submits that this Court, while considering the same issue in **Amar Sai Ram & others Vs. State of Chhattisgarh & others [WP (S) No.4725/2006]** by order dated 01/09/2006, allowed the petitioners to make a representation along with copy of the petition and annexures within a period of ten days, raising all their grievances and in turn, the concerned respondent was directed to decide the representation in an objective manner within a period of 30 days from the date of receipt of the representation.
5. Accordingly, the petitioner is granted liberty to make a representation raising all her grievances and in turn, the concerned respondent is directed to decide the representation, if any, in accordance with law, on its own merits, within a period of eight weeks from the date of receipt of representation, subject to verification of the facts.
6. In view of the foregoing, this petition is disposed off. No order as to costs.

Sd/-
(P. Sam Koshy)
Judge

Rohit