

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6995 OF 2019**

Harishchandra Patel S/o Chhattarpal Aged About 43 Years Presently Working As (L.B.) At Govt, Higher Secondary School Khaira, Block Bhatapara, District Baloda Bazaar-Bhatapara, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanandi Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Secretary Department of Education, Mantralaya, Mahanandi Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
3. Commissioner-Cum-Director Directorate Of Panchayat, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Director Public Instructions, Directorate, Indrawati Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
5. Chief Executive Officer Zila Panchayat Baloda Bazaar Bhatapara, District Baloda Bazaar Bhatapara Chhattisgarh.
6. District Education Officer Baloda Bazaar District Baloda Bazaar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
7. District Treasury Officer Baloda Bazaar Bhatapara, District Baloda Bazaar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
8. Block Education Officer Janpad Panchayat Bhatapara, District Baloda Bazaar Bhatapara Chhattisgarh
9. D. D. O. Govt, Higher Secondary School Karhibazar, Block Bhatapara, District Baloda Bazaar-Bhatapara, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri CJK Rao, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.09.2019

1. The limited grievance which the petitioner has raised in the present writ petition by virtue of order passed by this Court in the case of Mukesh Kumar Patel Vs. State of Chhattisgarh, WPS No. 2530/2017 decided on 26.11.2017 have been granted benefit of revised pay scale on completion of 8 years of service.
2. The counsel for the petitioner submits that the grievance which now remains is that the benefit is being provided to the petitioner prospectively and though the respondents have made a calculation which the petitioner was entitled for from the date of her 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 petitioner prays for appropriate direction to the respondents for releasing the said amount. According to the petitioner, he had completed her 8 years of service in the 2016 and accordingly she was entitled for the benefit of revised pay scale immediately on completion of 8 years of service. However, this benefit has been extended to the petitioner only from the year 2018. Thus, the present writ petition has been filed seeking for direction to respondents to consider the claim of the arrears of benefit between 2016 to 2018.

3. 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 petitioner, let respondents No. 2 & 3 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioner is entitled for. Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge